

IN THE MATTER OF THE:)
)
REGULAR MONTHLY BUSINESS)
MEETING)

PLACE: MARTINEZ CITY HAL COUNCIL
CHAMBERS
525 HENRIETTA STREET
MARTINEZ, CALIFORNIA

BRS FILE NO.: 41084



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APPEARANCES

MR. DANIEL G. PENNINGTON, CHAIRMAN
MR. ROBERT C. FRAZEE, VICE CHAIRMAN
MR. WESLEY CHESBRO, MEMBER
MS. JANET GOTCH, MEMBER
MR. STEVEN R. JONES, MEMBER
MR. PAUL RELIS, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, CHIEF EXECUTIVE OFFICER
MS. KATHRYN TOBIAS, CHIEF LEGAL COUNSEL
MS. MARLENE KELLY, BOARD SECRETARY
MS. PATTI BERTRAM, ADMINISTRATIVE ASSISTANT 2



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1 SACRAMENTO, CALIFORNIA; WEDNESDAY, AUGUST 27, 1997

2 9:30 A.M.

3

4 CHAIRMAN PENNINGTON: GOOD MORNING.

5 WELCOME TO THE AUGUST MEETING OF THE CALIFORNIA

6 INTEGRATED WASTE MANAGEMENT BOARD. WOULD THE

7 SECRETARY CALL THE ROLL, PLEASE.

8 BOARD SECRETARY:BOARD MEMBER CHESBRO.

9 BOARD MEMBER CHESBRO: HERE.

10 BOARD SECRETARY:FRAZEE.

11 BOARD MEMBER FRAZEE: HERE.

12 BOARD SECRETARY:GOTCH.

13 BOARD MEMBER GOTCH: HERE.

14 BOARD SECRETARY:JONES.

15 BOARD MEMBER JONES: HERE.

16 BOARD SECRETARY:RELIS.

17 BOARD MEMBER RELIS: HERE.

18 BOARD SECRETARY:CHAIRMAN PENNINGTON.

19 CHAIRMAN PENNINGTON: HERE. QUORUM IS

20 PRESENT.

21 DO ANY MEMBERS HAVE ANY EX PARTES?

22 I'LL START WITH MR. CHESBRO.

23 BOARD MEMBER CHESBRO: I BELIEVE SO.

24 CHAIRMAN PENNINGTON: NEWS FLASH.

25 BOARD MEMBER CHESBRO: I HAVE A LETTER,



1 WHICH I ASSUME WILL BE ENTERED INTO THE RECORD,
2 FROM THE LEAGUE OF CALIFORNIA CITIES REGARDING THE
3 LOCAL ASSISTANCE PLAN AND ONE FROM A MEMBER OF
4 MENDOCINO COUNTY BOARD OF SUPERVISORS ALSO ON
5 LOCAL - - THESE ARE ALL ON THE LOCAL ASSISTANCE
6 PLAN: JOHN PINCHES, MENDOCINO BOARD OF
7 SUPERVISORS; KEN WELLS, SONOMA COUNTY; JEFF WONG,
8 CITY OF LANCASTER. AND THAT'S ALL THE ONES THAT
9 ARE SPECIFIC TO THE AGENDA. I HAVE A LIST OF
10 OTHER WRITTEN ONES, WHICH I'LL SUBMIT TO THE
11 CLERK.

12 CHAIRMAN PENNINGTON: OKAY. IS THAT
13 SUPPOSED TO GO TO EVERYBODY ON THE BOARD?

14 BOARD MEMBER CHESBRO: I THINK SO. I
15 DON'T KNOW. HAVE OTHERS RECEIVED THE LEAGUE
16 LETTER?

17 CHAIRMAN PENNINGTON: I DON'T BELIEVE SO.
18 I DON'T THINK ANYBODY ELSE HAS SEEN THE LETTER.

19 BOARD MEMBER CHESBRO: WE'LL MAKE SURE
20 THAT WE GET A COPY. I DON'T KNOW ABOUT THE OTHER
21 ONES EITHER FROM MENDOCINO AND SONOMA COUNTY AND
22 THE OTHER ONE, LANCASTER. I DON'T KNOW. I
23 SHOULD.

24 CHAIRMAN PENNINGTON: WE'LL MAKE THEM A
25 PART OF THE RECORD.



1 BOARD MEMBER CHESBRO: I'LL TRY TO MAKE
2 SURE THAT THERE ARE COPIES THAT ARE MADE AND
3 AVAILABLE FOR EVERYBODY.

4 CHAIRMAN PENNINGTON: MRS. GOTCH.

5 BOARD MEMBER GOTCH: I THINK I'M CAUGHT
6 UP. I WILL SUBMIT TO THE BOARD SECRETARY, BUT
7 NOTHING THAT PERTAINED TO TODAY'S AGENDA.

8 CHAIRMAN PENNINGTON: OKAY. FINE.

9 BOARD MEMBER FRAZEE: NOTHING FOR ME.

10 BOARD MEMBER JONES: ALL UP TO DATE.

11 CHAIRMAN PENNINGTON: MR. RELIS.

12 BOARD MEMBER RELIS: NO. I'M UP TO DATE.

13 CHAIRMAN PENNINGTON: I JUST HAVE A
14 COUPLE ON AGENDA ITEM 47, A LETTER FROM THE HEALTH
15 SERVICES AGENCY IN THE COUNTY OF FRESNO CONCERNING
16 THE STANDARDIZED COMPOSTING PERMIT FOR
17 BIORECYCLING TECHNOLOGIES; AND ITEM 50, LETTER
18 FROM THE CALIFORNIA REFUSE REMOVAL COUNCIL,
19 ACKNOWLEDGING THE BOARD'S ACCOMPLISHMENT IN MAKING
20 RECOMMENDATIONS ON THE LINKAGES BETWEEN PERMITTING
21 AND ENFORCEMENT AND MARKETS FOR ORGANIC RECYCLED
22 OPERATIONS AND FACILITIES. AND I ALSO SPOKE TO
23 MR. GEORGE LARSON ABOUT MONOFILL.
24 IF THERE ARE - - IF THERE ARE ANY
25 REQUESTS TO SPEAK THIS MORNING, THERE ARE SPEAKER



1 FORMS JUST OUTSIDE THE DOOR; AND IF YOU WILL FILL
2 ONE OUT AND GET IT TO MS. KELLY HERE, SHE WILL GET
3 IT TO ME, AND WE'LL MAKE SURE THAT YOU CAN ADDRESS
4 US.
5 COUPLE OF ANNOUNCEMENTS ABOUT THE
6 BOARD'S AGENDA. ITEMS 7 AND 43 HAVE BEEN PULLED
7 FROM TODAY'S AGENDA. ITEM 84 WILL BE HEARD
8 FOLLOWING ITEM 37.
9 NOW WE'LL MOVE TO LOCAL
10 PRESENTATIONS.
11 BOARD MEMBER CHESBRO: WHICH ONE WOULD BE
12 FOLLOWING -
13 CHAIRMAN PENNINGTON: I'M SORRY. ITEM 48
14 WILL BE FOLLOWING ITEM 37.
15 WE'RE PLEASED TO HAVE VICE MAYOR
16 BARBARA WOODBURN, WHO'S GOING TO MAKE A
17 PRESENTATION TO US THIS MORNING.
18 VICE MAYOR WOODBURN: GOOD MORNING. I'M
19 BARBARA WOODBURN, AND I'M THE VICE MAYOR OF
20 MARTINEZ. I'M SIMPLY HERE TO WELCOME YOU ON
21 BEHALF OF NOT ONLY OUR CITY COUNCIL, BUT CERTAINLY
22 OUR CITY STAFF AND ALL OF OUR CITIZENS.
23 MARTINEZ HAS BEEN VERY INTERESTED IN
24 THE SUBJECT THAT MOST PEOPLE THINK IS NOT VERY
25 INTERESTING, BUT IS ACTUALLY FASCINATING, AS YOU



1 KNOW, NOT GARBAGE, BUT SOLID WASTE AND WHAT WE DO
2 WITH IT AND HOW WE DISPOSE OF IT AND REGULATE IT
3 AND THE NEED TO DO THAT.
4 SO WE CERTAINLY APPRECIATE VERY MUCH
5 YOUR BEING HERE AND BRINGING THIS BOARD, WHOSE
6 NAME IS AS LONG AS ITS AGENDA, TO MARTINEZ. WE
7 HOPE YOU'RE COMFORTABLE IN OUR CITY HALL AS YOU
8 PROGRESS THROUGH THE DAY, A LONG DAY, I'M SURE,
9 AND I HOPE YOU FIND THAT ON OUR STREETS ON YOUR
10 BREAK THAT YOU WILL BE GREETED WARMLY. THIS IS A
11 HOSPITABLE TOWN. THERE ARE MANY GOOD EATING
12 PLACES AND GOOD PLACES TO REST. WE HAVE A FINE
13 PARK IF YOU WANT TO BROWN BAG IT DOWN IN OUR
14 MARINA. THE GEESE WILL ENJOY YOUR COMPANY.
15 AND IF YOU NEED ANYTHING, PLEASE
16 DON'T HESITATE TO CALL ON OUR STAFF. THEY'RE HERE
17 TO ASSIST YOU IN ANY WAY THEY CAN, AND WE WANT YOU
18 TO KNOW THAT YOU'RE MOST WELCOME AND WE'RE VERY,
19 VERY GLAD THAT YOU'RE HERE WITH US TODAY. SO HAVE
20 A GOOD MEETING, AND I'M GOING TO SIT IN ON PART OF
21 IT.

22 CHAIRMAN PENNINGTON: THANK YOU. THANK
23 YOU VERY MUCH. I WANT TO ASSURE ANY OF YOUR
24 RESIDENTS WHO MAY HAVE BEEN TRYING TO COMMUTE INTO
25 OAKLAND OR THE CITY THIS MORNING, WE HAD NOTHING



1 TO DO WITH THE SOLID WASTE TRUCK THAT TIED UP THE
2 COUNTY.

3 NEXT WILL BE MR. DON BERGER, MANAGER
4 OF THE CENTRAL CONTRA COSTA COUNTY SANITATION
5 DISTRICT.

6 MR. BERGER: BEAR WITH ME. I'M DON
7 BERGER. I'M THE PROJECT MANAGER WITH THE CENTRAL
8 CONTRA COSTA SANITARY DISTRICT, AND I'M GOING TO
9 BE GIVING YOU A PRESENTATION TODAY ON OUR
10 PERMANENT CENTRAL COUNTY HOUSEHOLD HAZARDOUS WASTE
11 COLLECTION FACILITY. IN FACT, I'M PLEASED TO
12 ANNOUNCE THAT CONSTRUCTION OF THAT FACILITY IS
13 NEARLY COMPLETE AND, IN FACT, BROUGHT ALONG
14 PHOTOGRAPHS I'D LIKE TO SHOW YOU TO GIVE YOU AN
15 IDEA OF WHAT THIS IS GOING TO LOOK LIKE.

16 IT'S OVER HERE ON MY LEFT. I'VE
17 ALSO GOT SMALL LITTLE PICTURES OF THIS PASSED
18 AROUND SO YOU CAN SEE IT A LITTLE BIT BETTER.
19 THIS FACILITY WAS BUILT AT THE
20 INTERSECTION OF HIGHWAYS 54 AND 680 IN THE
21 UNINCORPORATED AREA OF MARTINEZ. AND WHAT YOU'RE
22 LOOKING AT HERE, THIS IS THE FRONT PART OF THE
23 BUILDINGS, THE RECEIVING AREA WHERE PEOPLE CAN
24 DRIVE IN WITH THEIR HOUSEHOLD HAZARDOUS WASTE, AND
25 THERE ARE TECHNICIANS UNLOADING WASTE FROM THEIR



1 CARS. AND THIS HAS A LOT OF TYPICAL FEATURES THAT
2 OTHER HOUSEHOLD HAZARDOUS WASTE FACILITIES HAVE,
3 SUCH AS INSIDE AREAS FOR SORTING OUT WASTE, MOTOR
4 OIL, LATEX PAINT, AND ANTIFREEZE FOR RECYCLING.
5 THE DOUBLE DOORS YOU SEE RIGHT HERE
6 ARE LEADING INTO OUR WASTE EXCHANGE AREA.
7 PRODUCTS THAT ARE STILL IN GOOD CONDITION ARE
8 GIVEN AWAY FREE OF CHARGE TO THE PUBLIC. THIS WAS
9 ACTUALLY TAKEN A FEW WEEKS AGO. THIS IS THE
10 DRIVE-IN BAY. WE'RE PUTTING THE FINISHING TOUCHES
11 ON THE LANDSCAPING AND PAVING. WE'RE REAL EXCITED
12 AND WE'RE ALMOST READY TO OPEN UP.
13 AND I HAVE A FEW OVERHEADS TO
14 BRIEFLY GIVE YOU A LITTLE MORE DETAIL ABOUT OUR
15 PROJECT. THANK YOU, PATTI.
16 THE CENTRAL CONTRA COSTA SANITARY
17 DISTRICT DEVELOPED THIS FACILITY IN COOPERATION
18 WITH MOUNTAIN VIEW SANITARY DISTRICT, WHICH IS THE
19 OTHER SANITARY DISTRICT SERVING THIS AREA OF THE
20 COUNTY. CENTRAL SANITARY DISTRICT WILL BE
21 OPERATING THIS FACILITY ONCE THE CONSTRUCTION IS
22 COMPLETED.
23 YOU'RE PROBABLY WONDERING HOW
24 SANITARY DISTRICTS MIGHT GET INVOLVED IN SOMETHING
25 LIKE THIS. BUT WHAT'S INTERESTING IS IT TURNS OUT



1 THAT HOUSEHOLD HAZARDOUS WASTE DISPOSAL IS REALLY
2 A COMMON PROBLEM WHICH AFFECTS A NUMBER OF DIVERSE
3 AGENCIES. AS YOU KNOW, CITIES AND COUNTIES HAVE A
4 MANDATE TO KEEP THIS OUT OF LANDFILLS AND KEEP IT
5 OUT OF GARBAGE CANS AND ALSO THROUGH URBAN RUNOFF
6 PROGRAMS TO KEEP PEOPLE FROM DUMPING THIS DOWN THE
7 STORM DRAINS AND POLLUTING THE BAY AND THE DELTA.
8 SANITARY DISTRICTS ALSO HAVE AN EQUAL INTEREST IN
9 PROTECTING OUR EFFLUENT QUALITY. ESPECIALLY IN
10 RECENT YEARS, THERE'S BEEN A LOT OF WORK GOING ON.
11 WE FOUND THROUGH TESTING THAT
12 ACTUALLY OUR EFFLUENT CONTAINS TRACE AMOUNTS OF
13 CHEMICALS LIKE DIAZINON AND DURSBN, WHICH ARE
14 COMMON HOUSEHOLD PESTICIDES, IN FACT, IN LEVELS
15 WHICH HAVE BEEN FOUND TO BE TOXIC TO CERTAIN
16 AQUATIC LIFE FORMS. IF WE WERE TO BUILD TREATMENT
17 FACILITIES TO TAKE OUT THIS HOUSEHOLD HAZARDOUS
18 WASTE, WE CALCULATE IT WOULD BE AT LEAST 30 TO \$50
19 MILLION, AND WE WOULDN'T THEN BE ENTIRELY
20 EFFECTIVE. SO LIKE THE CITIES AND COUNTIES THAT
21 ARE MANDATED TO TAKE THIS STUFF OUT TO PROTECT
22 LANDFILLS AND URBAN RUNOFF, IT'S A LOT LESS
23 EXPENSIVE FOR US AND ENVIRONMENTALLY SOUND TO
24 ADDRESS THIS THROUGH PROPER EDUCATION AND PROPER
25 DISPOSAL.



1 OUR HOUSEHOLD HAZARDOUS WASTE
2 FACILITY IN THIS COUNTY CAME ABOUT REALLY THROUGH
3 A LOT OF INTERAGENCY COOPERATION. IN THE
4 BEGINNING, WHEN HOUSEHOLD HAZARDOUS WASTE FIRST
5 CAME TO THE FOREFRONT AND PEOPLE WERE CONCERNED
6 ABOUT IT, WE ALL BANDED TOGETHER, TRIED TEMPORARY
7 ONE-DAY COLLECTION EVENTS THAT WERE HELD
8 THROUGHOUT THE COUNTY; AND, IN FACT, THE COUNTY
9 LED THIS EFFORT IN SETTING THESE PROGRAMS UP.
10 WHAT WE LEARNED FROM THIS, THOUGH,
11 IS THESE TEMPORARY EVENTS, WHILE THEY WERE QUICK
12 TO PERMIT, EASY TO GET GOING, WERE RELATIVELY
13 INCONVENIENT TO PEOPLE BECAUSE THEY WERE HELD ONLY
14 ONCE A MONTH, EVERY MONTH OR TWO, REQUIRED
15 APPOINTMENTS BY NECESSITY. AND ALSO WHAT WE
16 LEARNED FROM SURVEYING OTHER PERMANENT FACILITIES
17 IN THE STATE WAS THAT THESE MOBILE EVENTS WERE
18 COSTING AT LEAST 25 PERCENT MORE TO OPERATE THAN
19 IN COMPARABLE PERMIT FACILITIES AROUND CALIFORNIA.
20 SO IT WAS AT THAT POINT WE CAME TO
21 THE CONCLUSION THAT A PERMANENT FACILITY IS REALLY
22 GOING TO BEST SERVE THE NEEDS OF OUR RATEPAYERS
23 AND BE MORE CONVENIENT AND LESS COST. LIKE
24 ANYTHING ELSE, THIS HAD TO BE PAID FOR. AND
25 THAT'S ALWAYS THE DIFFICULT PART. WE'RE NOT LIKE



1 ANY OTHER COUNTY.
2 BUT WHAT TURNED OUT WAS THE SEWER
3 SERVICE CHARGE PROVIDED A VERY CONVENIENT METHOD
4 TO FUND THE FACILITY. TURNED OUT AT ROUGHLY \$3
5 PER HOUSEHOLD PER YEAR WE COULD FUND THIS
6 PERMANENT FACILITY HERE IN CENTRAL COUNTY.
7 ACTUALLY A FEW INTERNAL COST SAVINGS WHICH WE
8 REALIZED AT OUR TREATMENT PLANT, WE WERE ABLE,
9 BECAUSE OF DOWNSIZING, WE HAD SOME EXTRA STAFF
10 AVAILABLE WHICH WE COULD PUT ON THIS FACILITY AND
11 WERE ABLE TO HOLD OUR RATES CONSTANT THIS YEAR AND
12 DIDN'T HAVE TO RAISE THEM TO FUND THE FACILITY.
13 WHEN WE THOUGHT WE HAD EVERYTHING
14 WORKED OUT, THERE WAS ACTUALLY A COUPLE GLITCHES
15 THAT CAME UP HERE. ONE OF THEM WAS THE CITIES OF
16 COMPTON AND CLAYTON, WHICH ARE IN CENTRAL COUNTY,
17 WE TREAT THEIR WASTEWATER BY CONTRACT RIGHT NOW,
18 BUT WE HAD NO CONTRACT IN PLACE TO COLLECT THE
19 HOUSEHOLD HAZARDOUS WASTE.
20 THE OTHER ONE WAS THE CITY OF SAN
21 RAMON - - SOME OF YOU MIGHT KNOW - - THIS IS IN THE
22 SOUTHERN PART OF OUR COUNTY. HALF OF THE CITY OF
23 SAN RAMON LIES WITHIN OUR SERVICE AREA, AND HALF
24 OF IT LIES WITHIN ANOTHER WATERSHED WHICH IS
25 COVERED BY ANOTHER SANITARY DISTRICT WAY DOWN IN



1 ALAMEDA COUNTY. FORTUNATELY, WE WERE ABLE TO ALL
2 GET TOGETHER AND DEVELOP SOME CONTRACTS TO ALLOW
3 FOR US TO COLLECT THE HOUSEHOLD HAZARDOUS WASTE.
4 AND AS A RESULT OF THESE CONTRACTS, THROUGH
5 INTERAGENCY COOPERATION, WE'RE GOING TO HAVE A
6 HOUSEHOLD HAZARDOUS WASTE FACILITY HERE IN ABOUT
7 ANOTHER MONTH OR SO.
8 BRIEFLY I'D JUST LIKE TO TELL YOU
9 ABOUT A COUPLE OF THE KEY FEATURES OF OUR
10 FACILITY. AS I MENTIONED, IT'S GOING TO BE VERY
11 CONVENIENT TO RESIDENTS. IT'S GOING TO BE OPEN
12 FOUR DAYS A WEEK WITHOUT APPOINTMENTS AND FREE OF
13 CHARGE FOR HOUSEHOLDS TO COME AND DROP OFF THEIR
14 WASTE. WE'LL ALSO BE TAKING CARE OF SMALL
15 BUSINESSES IN THE CESQG. THIS IS ALSO AN
16 IMPORTANT PART OF THE HOUSEHOLD HAZARDOUS WASTE
17 ELEMENT. AND THEY'LL BE SERVICED ONE ADDITIONAL
18 DAY PER WEEK BY APPOINTMENT.
19 AS I MENTIONED, WE'VE GOT A LARGE
20 WASTE EXCHANGE AREA FOR REUSABLE PRODUCTS. A LOT
21 OF THINGS THAT PEOPLE ARE BRINGING IN CAN STILL BE
22 USED AND GIVEN AWAY. WE DON'T HAVE TO DISPOSE OF
23 THESE PRODUCTS. AND THAT'S SOMETHING WE REALLY
24 COULDN'T TAKE ADVANTAGE OF WITH THESE TEMPORARY
25 EVENTS. WE JUST DIDN'T HAVE A PLACE TO



1 CONSOLIDATE THE THINGS SO THAT PEOPLE COULD COME
2 BY AND USE IT.
3 PUBLIC EDUCATION IS ALSO GOING TO BE
4 A KEY ELEMENT OF OUR FACILITY. WE HAVE A LARGE
5 PUBLIC EDUCATION AREA WITH AN INFORMATIONAL KIOSK
6 AT THE FACILITY, AND WE'VE GOT INFORMATIONAL
7 BROCHURES ON PROPER HOUSEHOLD HAZARDOUS WASTE
8 MANAGEMENT AND USE OF LESS TOXIC PRODUCTS.
9 AND IN THAT REGARDS, THE LANDSCAPING
10 AROUND THE FACILITY HAS BEEN DESIGNED TO
11 INCORPORATE INTEGRATED WASTE PEST MANAGEMENT.
12 NOW, THIS IS, AS YOU ALREADY MAY KNOW, THIS IS
13 WAYS OF GARDENING WHICH USE LESS TOXIC PRODUCTS,
14 LESS TOXIC ALTERNATIVES. AND SO PEOPLE THAT COME
15 VISIT THE FACILITY WILL HAVE A CHANCE TO WALK
16 THROUGH AND, IF THEY'RE INTERESTED, CAN FIND OUT
17 SOME WAYS THAT THEY CAN GARDEN USING LEFT
18 PESTICIDES AND FERTILIZERS.
19 ALSO, WE'RE KEEPING IN MIND THE
20 RECYCLING ELEMENT. THIS IS A RECYCLED WATER
21 DEMONSTRATION PROJECT. WE'RE GOING TO BE
22 IRRIGATING THE LANDSCAPING WITH RECYCLED WATER
23 FROM OUR WASTEWATER TREATMENT PLANT. AND
24 REALIZING THAT THIS FACILITY IS A BIT OF A
25 SHOWCASE, WE USED EXTENSIVE USE OF BUILDING



1 MATERIALS WITH RECYCLED CONTENT IN CONSTRUCTION OF
2 THE FACILITY.
3 JUST BRIEFLY ON THE LAST OVERHEAD IS
4 ON THE OPERATIONS ASPECT. WE'RE NEARLY DONE WITH
5 THE CONSTRUCTION. WE EXPECT TO BE OPEN TO THE
6 PUBLIC IN OCTOBER. AND THANKS TO THE STREAMLINED
7 STATE PERMITTING PROCESS WHICH WAS USED TO
8 IMPLEMENT THESE FACILITIES, IT'S REALLY HELPED
9 SHORTEN OUR COMPLETION TIME.
10 IN THE OLD DAYS IT TOOK - - IT WAS
11 VERY CUMBERSOME, TOOK A LOT OF TIME TO GET THESE
12 PERMITTED FACILITIES ON LINE BECAUSE OF THE
13 PERMITTING. IT'S RECENTLY BEEN SHORTENED TO A
14 PERMIT BY RULE PROCESS WHICH MADE IT A LOT MORE
15 STRAIGHTFORWARD TO GET THEM GOING.
16 ALSO, WE REALIZED THAT OUR FACILITY
17 IS LOCATED UP IN THE NORTHERN PART OF THIS COUNTY
18 AND IS QUITE A WAYS AWAY FROM SOME OF THE CITIES
19 WAY DOWN IN THE SOUTH. SO WE'RE GOING TO BE
20 PROVIDING FREE SUPPLEMENTARY MOBILE COLLECTION
21 EVENTS,, OR ONE-DAY EVENTS PER YEAR TO GIVE THOSE
22 FOLKS DOWN THERE A LITTLE EXTRA WHO CAN'T DRIVE UP
23 AND THE ELDERLY PEOPLE AND FOLKS LIKE THAT.
24 AND THAT, THANKS TO A GRANT WE
25 RECEIVED FROM YOU ALL, WE HAVE FUNDING FOR THAT



1 THIS YEAR. YOUR GRANT ALSO PROVIDED US MONIES FOR
2 OUR PUBLIC EDUCATION AND PROMOTION. WE THANK YOU
3 VERY MUCH FOR THAT.

4 AND IN YOUR PACKET THERE'S A FACT
5 SHEET ON OUR FACILITY, GIVES YOU A LITTLE MORE
6 INFORMATION ABOUT IT FOR YOUR READING. KIND OF A
7 NEAT LITTLE ARTIST COMPUTER-AIDED RENDERING ON
8 THERE. THAT CONCLUDES MY PRESENTATION. AND I'D
9 LIKE TO ASK IF THERE'S ANY QUESTIONS AT THIS TIME.

10 CHAIRMAN PENNINGTON: ANY QUESTIONS?

11 BOARD MEMBER CHESBRO: I'D MAKE A COMMENT
12 AND JUST SAY IT'S REALLY JUST GOOD TO HEAR THAT
13 THE STREAMLINED PERMITTING PROCESS IS WORKING.
14 THAT HAS BEEN A REAL BURDEN FOR A NUMBER OF YEARS
15 NOW. I THINK - - I DON'T KNOW THE DETAILS, BUT I
16 BELIEVE IT'S A COLLABORATIVE PROCESS. AND, YOU
17 KNOW, NICE TO HEAR THAT IT'S TAKING SOME POSITIVE
18 EFFECT

19 CHAIRMAN PENNINGTON: THANK YOU VERY
20 MUCH. APPRECIATE IT.

21 NEXT WE'LL HEAR FROM LORI
22 BRAUNREITHER, CONTRA COSTA COUNTY LEA.

23 BOARD MEMBER CHESBRO: MR. CHAIRMAN,
24 BEFORE SHE BEGINS TO SPEAK, I WAS ASKED BY STAFF
25 TO ANNOUNCE THAT IF ANY OF THE BUSINESSES ARE HERE



1 THAT ARE RECEIVING WRAP AWARDS, THERE'S A SIGN-UP
2 SHEET THAT STAFF WOULD LIKE YOU TO SIGN SO WE CAN
3 KNOW WHICH OF YOU ARE HERE.
4 MS. BRAUNREITHER: THANK YOU. IF
5 SOMEBODY COULD TAKE THE LIGHTS FOR ME.
6 ON BEHALF OF CONTRA COSTA COUNTY AND
7 THE ENVIRONMENTAL HEALTH DIVISION LOCAL
8 ENFORCEMENT AGENCY, WE WELCOME YOU TO MARTINEZ.
9 WE HOPE YOU HAVE A GOOD MEETING HERE TODAY. AND
10 I'M HERE TODAY TO GIVE A BRIEF LITTLE INTRODUCTION
11 OR PRESENTATION ON ONE OF THE FACILITIES IN OUR
12 COUNTY.
13 WE FIGURED YOU PROBABLY HAVE HEARD
14 ENOUGH ABOUT LANDFILLS AND COMPOST FACILITIES AND
15 SLUDGE SPREADING AND THINGS LIKE THAT, SO WE
16 THOUGHT, WELL, WHAT KIND OF FACILITIES DO WE HAVE
17 IN CONTRA COSTA COUNTY THAT YOU PROBABLY DON'T
18 HEAR A LOT ABOUT. AND WHAT WE HAVE ARE SOIL
19 REMEDIATION FACILITIES.
20 AND I'M HAVING THE SLIDES GO UP OVER
21 HERE. WE WERE PLAYING AROUND THIS MORNING, AND IT
22 SEEMS TO BE A LITTLE BIT TOO BRIGHT IN HERE FOR
23 SOME OF THE SLIDES. SO WE'RE GOING TO DO THE BEST
24 WE CAN WITH WHAT WE HAVE.
25 THE TPS TECHNOLOGY SOIL REMEDIATION



1 FACILITY IS LOCATED OUT ON THE WEST CONTRA COSTA
2 SANITARY LANDFILL. THE LEA APPROVED ITS
3 NOTIFICATION TIER IN JULY OF '96, AND THE FACILITY
4 BEGAN OPERATIONS IN JANUARY OF THIS YEAR.
5 THE LOCATION ON THE LANDFILL IS ON A
6 CLOSED PORTION OF THE SITE WHERE THE WASTE HAD
7 ALREADY UNDERGONE 95-PERCENT DECOMPOSITION. IT
8 WAS CHOSEN FOR THIS AREA SO THAT THE BUILDING
9 COULD MAINTAIN ITS STABILITY. AND THERE ARE A LOT
10 OF ENGINEERING EFFECTS THAT WENT INTO THE DESIGN
11 OF THE BUILDING JUST SO THAT IT WOULD BE ABLE TO
12 WITHSTAND ANY OTHER SETTLEMENT THAT HAPPENS AT THE
13 LANDFILL.
14 WE'LL DO THIS BEST WE CAN WITH WHAT
15 WE CAN WITH THE SLIDES.
16 AT FULL OPERATION, THEIR PEAK
17 LOADING FOR THE TPS FACILITY WILL BE 3600 TONS PER
18 DAY WITH AN ANNUAL LOADING OF 250,000 TONS PER
19 YEAR OF NONHAZARDOUS PETROLEUM CONTAMINATED SOIL.
20 THERE ARE THREE ASPECTS TO THIS FACILITY. THE
21 FIRST PART IS THE TREATMENT OF THE NONHAZARDOUS
22 PETROLEUM CONTAMINATED SOIL, THE TREATMENT OF THE
23 DUST, AND THE TREATMENT OF THE HYDROCARBONS.
24 AND I'LL BEGIN FIRST BY FOLLOWING
25 WHERE THE CONTAMINATED SOIL GOES THROUGH THE



1 TREATMENT PROCESS AT THIS FACILITY, AND THEN FROM
2 THERE WE'LL GO ON AND ADDRESS HOW THE DUST AND
3 HYDROCARBONS ARE HANDLED.
4 HAD IT BEEN DARK ENOUGH IN THIS
5 ROOM, YOU'D BE ABLE TO SEE THE PILES OF SOILS
6 STOCKPILED INSIDE THE BUILDING. CURRENTLY THE
7 PILES ARE LOW JUST BECAUSE THEY HAVE BEEN
8 PROCESSING QUITE A BIT OUT THERE. WHAT THEY DO IS
9 THEY TAKE THE SOIL OVER TO A TRAMMEL SCREEN THAT
10 WILL SCREEN THE SOILS DOWN. ANYTHING LESS THAN 2
11 INCHES IS SCREENED OUT, AND ANY OF THE LARGER
12 PIECES OR LARGER CLUMPS, SOIL AND DEBRIS ARE TAKEN
13 OUT. WHAT CAN BE CRUSHED DOWN THERE OR
14 REPROCESSED THERE IS REPROCESSED AND THEN PUT
15 THROUGH THE SOIL.
16 IF IT'S TOO BIG, IT GOES TO - -
17 ACROSS THE ACCESS ROAD ON THE LANDFILL TO A
18 PORTION OF THE LANDFILL CALLED THE CONCRETE
19 ASPHALT-CRUSHING OPERATION. AND IT WILL BE
20 CRUSHED DOWN THERE AND EITHER RETURNED TO THE
21 FACILITY OR USED FOR OTHER SOURCES ON THE
22 LANDFILL. EVERYTHING THAT'S DONE AT TPS BENEFITS
23 THE LANDFILL ITSELF.
24 FROM THERE THE SOIL WILL GO OVER
25 INTO A FEED HOPPER, AND THIS FEED HOPPER WILL THEN



1 LOAD THE SOIL ONTO A SLINGER BELT. AND YOU CAN'T
2 QUITE TELL IN THIS SLIDE, BUT AS IT GOES UP, IT
3 GOES TO THE END OF A CONVEYOR AND IT'S SLUNG INTO
4 THE DRYER DRUM. AND WHAT WILL HAPPEN IS FROM THE
5 LEFT SIDE OF THE PICTURE, THE SOIL IS THROWN INTO
6 THE DRYER TUBE, AND THERE'S A SERIES OF FLIGHTS OR
7 PADDLES IN THERE THAT KEEP THE SOIL TUMBLING SO
8 THAT IT KEEPS BEING EXPOSED TO THE HEAT. FROM THE
9 OTHER END A FLAME IS BEING SHOT THROUGH AT 1800
10 DEGREES FAHRENHEIT. AND IT'S THAT TEMPERATURE
11 THAT SEPARATES THE HYDROCARBONS FROM THE SOIL.
12 THIS BIG OPEN SECTION AT THE END AT
13 THE RIGHT OF THE PHOTO IS A BLOWER - - BURNER
14 BLOWER, AND IT'S LOCATED THERE. IT TAKES THE AIR
15 FROM THE ATMOSPHERE AND BLOWS THE FLAME INTO THE
16 DRYER TUBE TO HELP MAKE SURE THAT THE TEMPERATURE
17 STAYS CONSTANT AND BURNS OFF THAT HYDROCARBON.
18 THE TEMPERATURE OF THE SOIL THEN,
19 ONCE IT LEAVES HERE, IS AROUND 650 TO 700 DEGREES
20 FAHRENHEIT. AND WHAT IT WILL DO IS GO FROM THE
21 RIGHT SIDE AND GO OUT TOWARDS THE BACK TO
22 SOMETHING CALLED A SLAT CONVEYOR. INSIDE THE SLAT
23 CONVEYOR IS A SERIES OF PADDLES AND SLATS WHICH
24 PUSH THE SOIL UP AND OUT. AND AS IT GOES THROUGH,
25 WATER IS SPRAYED DOWN ONTO THE SOIL TO DECREASE



1 THE TEMPERATURE DOWN TO A HUNDRED DEGREES
2 FAHRENHEIT.
3 NOW, FROM HERE THE SOIL THEN FALLS
4 DOWN ONTO A DISCHARGE CONVEYOR AND THEN OVER TO A
5 RADIAL STACKER - - AND I THINK THIS IS THE DARK
6 SLIDE - - WHERE THE SOIL THEN IS STOCKPILED. AND
7 FROM THERE THE LANDFILL WILL COME, TAKE THE SOIL,
8 TAKE IT OVER EITHER TO THE ACTIVE FACE OR TO AN
9 AREA OF THE LANDFILL WHERE THEY'RE DOING FINAL
10 CLOSURE, AND THEY WILL USE THE CLEAN SOIL THEN AS
11 COVER MATERIAL.
12 AND IF YOU WOULD LIKE TO SEE THESE
13 SLIDES ANOTHER TIME WHEN IT'S DARKER, YOU COULD
14 SEE ALL THE FULL EFFECTS, AND THEY'RE REALLY
15 FASCINATING SITES, BUT THE SLIDES AREN'T DOING
16 JUSTICE FOR IT RIGHT NOW.
17 ANYWAY, THAT TOOK CARE OF WHERE THE
18 SOIL IS HANDLED. NOW WE GO OVER TO HOW THE DUST
19 AND THE HYDROCARBONS ARE TREATED. NOW, ON THE
20 RIGHT SIDE, THE DARK PORTION OF THE PHOTO, IS THE
21 DRYER DRUM. WHAT HAPPENS IS THE CONDUIT THAT'S ON
22 THE TOP, THE VAPORS AND THE DUST GO OVER TO THE
23 ROUND PORTION OF THE BAGHOUSE CALLED A CYCLONE.
24 AND IN THE CYCLONE IT IS TOSSED SO THAT THE HEAVY
25 PARTICLES AND SOIL DROP DOWN INTO AN AUGER THAT'S



1 LOCATED AT THE BASE. THAT SOIL WILL THEN BE TAKEN
2 BACK INTO THE DRYER DRUM FOR FURTHER TREATMENT AND
3 BREAKDOWN, AND HOPEFULLY THEY WILL THEN GO ON OUT
4 THROUGH THE SOIL PROCESSING.
5 IN THE MEANTIME ANYTHING ELSE THAT'S
6 STILL IN THERE IS SHOT INTO THE BAGHOUSE. AND
7 HERE'S ANOTHER ANGLE OF THE BAGHOUSE FROM THE
8 OTHER SIDE. INSIDE THE BAGHOUSE THERE ARE
9 APPROXIMATELY 700 BAGS THAT ARE 14 FEET LONG AND 6
10 INCHES IN DIAMETER. AND THE BAGHOUSE ACTS LIKE A
11 BIG VACUUM CLEANER WHERE IT SUCKS THE AIR THROUGH.
12 THE DUST GETS CAUGHT IN THE BAGS AND THE
13 HYDROCARBONS WILL GO THROUGH.
14 FIRST WE'LL ADDRESS THE DUST HERE
15 BECAUSE THEN WE'LL CONTINUE ON TO WHAT HAPPENS TO
16 THE HYDROCARBONS.
17 THE DUST THAT IS CAUGHT IN THE BAGS
18 ARE THEN ALLOWED TO BE PULSED. THE BAGS ARE
19 PULSED WITH AIR TO LOOSEN THE DUST. THE DUST
20 FALLS DOWN INTO THE BOTTOM AUGER. IT IS THEN FROM
21 THERE TAKEN BACK TO THE DRYER DRUM AND TREATED AS
22 SOIL AGAIN AND GOES THROUGH THE PROCESS UNTIL ALL
23 THE DUST IS GONE AND GOES OUT INTO THE SOIL.
24 BUT THE OTHER PARTS THEN STILL HAVE
25 THE HYDROCARBONS THAT STILL NEED TO BE TREATED.



1 AT THE FAR END OF THE BAGHOUSE ON THE OPPOSITE END
2 IS A LARGE FAN. THIS FAN PULLS APPROXIMATELY
3 19,000 ACTUAL CUBIC FEET PER MINUTE OF AIR THROUGH
4 THE BAGHOUSE AND THROUGH A SERIES OF CONDUITS INTO
5 THE REACTOR CHAMBER. AND THE KIND OF GRAY DARK
6 AREA TO THE LEFT OF THE PHOTO ARE THE CONDUITS.
7 AND IN THE BACKGROUND ARE THE REACTING CHAMBERS.
8 AND HERE'S A BETTER VIEW OF THE REACTOR CHAMBERS.
9 THE FRONT PORTION IS THE CONDUIT.
10 IT COMES DOWN INTO THE BOTTOM OF THE REACTOR
11 CHAMBER, AND THEN WHAT HAPPENS IS INSIDE THE
12 REACTOR CHAMBER ARE A SERIES OF STAINLESS STEEL
13 TUBES AND HUNDREDS OF THOUSANDS TO APPROXIMATELY A
14 MILLION CERAMIC BALLS AND PADDLES, ALL OF THESE
15 HEATED TO 1800 DEGREES FAHRENHEIT, SO WHEN THE
16 HYDROCARBONS GO THROUGH THIS, THEY GO UP AND DOWN
17 AND FOLLOW THROUGH THE SYSTEM AT 1800 DEGREES.
18 THIS EXPOSURE BREAKS DOWN THE MOLECULAR STRUCTURE
19 OF THE HYDROCARBONS AND THE CARBON DIOXIDE AND
20 WATER VAPOR INTO BASICALLY HARMLESS MATERIALS.
21 FROM THERE, THEN, AFTER IT GOES
22 THROUGH ALL THE CIRCULATION SYSTEMS, IT COMES OUT
23 THE BACK AND GOES OUT THE STACK. THAT'S WHERE THE
24 CARBON DIOXIDE AND WATER VAPOR DISSIPATES OUT OF
25 THE SYSTEM.



1 NOW, TO CONTROL ALL OF THIS, THE
2 WHOLE SYSTEM IS CONTROLLED BY COMPUTERS. THIS
3 HAPPENS TO BE ONE OF THE CONTROL PANELS THAT
4 REGULATES EVERYTHING FROM TEMPERATURES AND
5 EVERYTHING INSIDE THE BAGHOUSE, CONTROLS FOR THE
6 DRYER DRUM, SLAT MIXER, AND OTHER SIMPLE CONTROLS
7 LIKE THE BELTS, THE AUGERS, AND OTHER INNER POWER
8 SOURCES.
9 HERE IS WHERE THEY CONTROL
10 EVERYTHING THAT HAPPENS. SO IF - AND THE
11 COMPUTER HAS REDUNDANT HYDROCARBON ANALYZERS WHICH
12 ARE INDEPENDENT OF EACH OTHER. IF ONE THING FALLS
13 DOWN, THEY HAVE A BACKUP SYSTEM THAT COMES UP TO
14 MAKE SURE EVERYTHING IS MAINTAINED, THE
15 TEMPERATURES ARE MAINTAINED WHERE THEY'RE SUPPOSED
16 TO BE. IF HYDROCARBONS ARE NOT HIGH ENOUGH, THEN
17 THEY CAN ADD AUXILIARY PROPANE. THEY HAVE PROPANE
18 TANKS AT THE FACILITY TO AUXILIRATE THIS IN CASE
19 THEY NEED TO HAVE THAT EXTRA PROPANE THERE.
20 IF THE HYDROCARBONS ARE TOO HIGH,
21 THEN THERE ARE DAMPERS ON THE FAN THAT CAN BE
22 ADJUSTED TO ADD MORE AIR INTO IT SO THE SYSTEM CAN
23 KEEP RUNNING.
24 AND AGAIN, THIS IS A BIG OVERVIEW OF
25 THE FACILITY FROM THE BACK SIDE, SHOWING WHAT ALL



1 THE EQUIPMENT IS AND ALL THE SOIL.
2 ANOTHER INTERESTING THING TO NOTE
3 ABOUT THIS FACILITY IS THAT ALL THE ELECTRICITY
4 THAT THE FACILITY USES COMES FROM THE LANDFILL.
5 THE LANDFILL GAS GENERATION PLANT TREATS THE GAS,
6 TURNS IT INTO ELECTRICITY. THAT ELECTRICITY RUNS
7 THE TPS FACILITY, THE CONCRETE-ASPHALT CRUSHING
8 OPERATION, THE WEIGH STATION, THE EMERGENCY LIGHTS
9 UP AT THE ACTIVE FACE. AND THE EXCESS ELECTRICITY
10 THEY SELL TO PG&E. OUT AT THE LANDFILL IT'S A
11 FULL SERVICE LANDFILL. IT HAS EVERYTHING FROM THE
12 ACTIVE FACE, COMPOST FACILITY, AND THE SOIL
13 REMEDIATION FACILITY.
14 AND THAT'S BASICALLY AN OVERVIEW OF
15 ONE OF THE FACILITIES WE HAVE HERE IN THE COUNTY.
16 AND IF I CAN ANSWER ANY QUESTIONS, I'LL SURE TRY.
17 BUT THE OPERATOR MADE IT REAL SIMPLE SO THAT EVEN
18 I COULD UNDERSTAND ALL THE DIFFERENT STEPS.

19 CHAIRMAN PENNINGTON: ANY QUESTIONS?

20 BOARD MEMBER RELIS: INTERESTING.

21 CHAIRMAN PENNINGTON: VERY INTERESTING.

22 THANK YOU.

23 MS. BRANSREITHER: THANK YOU. WE HOPE
24 YOU ENJOY YOUR MEETING HERE TODAY.

25 CHAIRMAN PENNINGTON: NEXT WE'LL HEAR



1 FROM BILL DAVIS, THE EXECUTIVE DIRECTOR OF WEST
2 CONTRA COSTA COUNTY INTEGRATED WASTE MANAGEMENT
3 AUTHORITY.

4 MR. DAVIS: THANK YOU, MR. CHAIRMAN,
5 MEMBERS OF THE BOARD. WE HAVE THE DUBIOUS
6 DISTINCTION OF HAVING A NAME LONGER THAN YOURS,
7 ALTHOUGH IT HAS THE SAME NUMBER OF SYLLABLES.

8 I AM BILL DAVIS, EXECUTIVE DIRECTOR
9 OF WEST CONTRA COSTA INTEGRATED WASTE MANAGEMENT
10 AUTHORITY. I LEFT PACKETS AT YOUR DESK IN TWO
11 PARTS, ONE I'LL BE SPEAKING FROM AND THE OTHER IS
12 JUST SOME SAMPLING OF SOME OF OUR PUBLIC
13 INFORMATION MATERIAL TO GET A FEEL OF WHAT WE DO.
14 WE ARE A JOINT POWERS AGENCY, FIRST
15 FORMED IN APRIL OF 1991, APRIL 2D, NOT APRIL 1ST.
16 SINCE THAT TIME WE'VE CHANGED THE ORGANIZATION
17 TWICE, THE JOINT POWERS TWICE. ONCE IS FOR THE
18 FINANCING OF A \$17 MILLION TRANSFER STATION
19 RECYCLABLES PROCESSING FACILITY. THE THIRD TIME
20 WAS TO BECOME A REGIONAL AGENCY. AND THAT WAS THE
21 DOCUMENT YOU ALL HAD BEFORE YOU A YEAR OR SO AGO.
22 OUR MEMBERS ARE EL CERRITO,
23 HERCULES, PINOLE, RICHMOND, AND SAN PABLO, ALL IN
24 WEST CONTRA COSTA COUNTY. WE HAVE AN INCREASINGLY
25 DIVERSE CULTURAL POPULATION - - EXCUSE ME - -



1 INCREASING CULTURAL DIVERSE POPULATION OF ABOUT
2 177,000. IN THE PACKAGE YOU CAN SEE THAT MORE
3 THAN 50 PERCENT OF OUR FOLKS ARE PEOPLE OF COLOR.
4 WE ARE ALSO ECONOMICALLY DIVERSE.
5 OUR COUNTY IS GENERALLY LOOKED AT IN THREE
6 SECTIONS, WEST COUNTY, CENTRAL COUNTY WHERE YOU'RE
7 AT, AND EAST COUNTY. WE'RE PROBABLY ON THE LOWER
8 END OF THE ECONOMIC SCALE IN THE COUNTY. ABOUT 50
9 PERCENT OF OUR POPULATION IS IN HOUSEHOLDS WHERE
10 THE MEDIAN INCOME IS LESS THAN THE COUNTY MEDIAN.
11 WE HAVE CAN RATES WHICH ARE ALWAYS A
12 CONCERN TO US SINCE WE'RE FUNDED FROM RATES SOLELY
13 AND COMPLETELY TO THE EXTENT THAT WE AREN'T ABLE
14 TO OBTAIN GRANTS FROM YOUR ORGANIZATION AND
15 OTHERS. CAN RATES RANGE FROM \$17 PER MONTH FOR
16 ONE 32-GALLON CAN, THAT'S IN THE CITY OF EL
17 CERRITO, UP TO \$21 PER MONTH FOR ONE 32-GALLON
18 CAN. THAT'S A FACTOR FOR US WHICH I'LL GET TO IN
19 A LITTLE BIT.
20 OUR BASIC MISSION IS TO PROVIDE FOR
21 COST-EFFECTIVE COMPLIANCE WITH AB 939 AND TO
22 PROVIDE OVERSIGHT OF THE WEST COUNTY INTEGRATED
23 RESOURCE RECOVERY FACILITY. THAT'S THE \$17
24 MILLION TRANSFER AND RECYCLABLES PROCESSING
25 FACILITY.



1 IN THE AUDIENCE IS MR. JOHN
2 WILLIAMS, WHO'S THE GENERAL MANAGER FOR WEST
3 COUNTY RESOURCE RECOVERY. THEY ARE THE OWNER OF
4 THE FACILITY, AND WE HAVE A SERVICE AGREEMENT WITH
5 THEM THAT GUIDES OUR ACTIVITIES.
6 OUR PROGRAMS, WE HAVE SEVEN
7 FUNDAMENTAL PROGRAMS WHICH WE HAVE ORGANIZED
8 OURSELVES INTO: AB 939 PLANNING AND
9 IMPLEMENTATION, WHICH IS ALL OF THE SRRE WORK AND
10 MONITORING AND REPORTING; HOUSEHOLD HAZARDOUS
11 WASTE, WHICH IS THE HOUSEHOLD HAZARDOUS WASTE
12 PLANNING AND IMPLEMENTATION; EDUCATION AND PUBLIC
13 INFORMATION; THE OVERSIGHT OF THE MRF. WE ALSO
14 HAVE DEALT WITH CLOSURE AND POSTCLOSURE OF THE
15 WEST CONTRA COSTA SANITARY LANDFILL PRINCIPALLY
16 THROUGH REVIEW OF THE AMOUNTS OF MONEY THAT WERE
17 INCLUDED IN OUR RATES TO PAY AND PREFUND THE
18 CLOSURE AND POSTCLOSURE COST, AND WE PROVIDE
19 ASSISTANCE TO OUR MEMBERS. AND AS EVERY
20 ORGANIZATION HAS, IT HAS AN ADMINISTRATION AND
21 MANAGEMENT OVERHEAD.
22 OUR ANNUAL BUDGET FOR OPERATIONS IS
23 ABOUT \$670,000 A YEAR, AND WE HAVE A STAFF OF FOUR
24 PROFESSIONALS AND ONE CLERICAL.
25 WHAT WE HAVE BEEN ABLE TO ACCOMPLISH



1 SINCE 1991 I TRIED TO SUMMARIZE FOR YOU, AT LEAST
2 THE MAJOR ACCOMPLISHMENTS. WHEN I FIRST CAME IN
3 1991, THERE WAS NOT A COOPERATIVE RELATIONSHIP
4 WITH THE HAULERS. WE HAVE SINCE ESTABLISHED THAT.
5 WE HAVE A GOOD WORKING RELATIONSHIP WITH RICHMOND
6 SANITARY SERVICE, WHO SERVES ALL EXCEPT EL
7 CERRITO, AND EAST BAY SANITARY COMPANY, WHICH
8 SERVES EL CERRITO.
9 WHEN I FIRST CAME HERE IN OCTOBER OF
10 1991, THERE WAS NOT A GOOD RELATIONSHIP WITH
11 CONTRA COSTA COUNTY. WE HAVE ESTABLISHED A VERY
12 GOOD WORKING RELATIONSHIP WITH CONTRA COSTA
13 COUNTY. WE HAVE A CONTRACT THAT DEFINES OUR ROLES
14 AND RESPONSIBILITIES REGARDING THE FACILITY, AND
15 WE PROVIDE MANY OF THE AB 939 SERVICES FOR THE
16 UNINCORPORATED PART OF THE COUNTY IN WEST COUNTY.
17 WE WERE THE FIRST REGIONAL AGENCY TO
18 OBTAIN YOUR APPROVAL THAT INVOLVES DIVERSION
19 SHARING. EVERYBODY'S DIVERSION GOES TOGETHER AND
20 COUNTS TOWARDS EVERYBODY'S ACHIEVEMENT.
21 EVERYONE'S SHORTFALL GOES TOGETHER AND COUNTS
22 AGAINST EVERYONE'S SHORTFALL. AND WE HAVE SOME
23 FINE RESPONSIBILITY IF WE GIVE RISE TO THE CAUSE
24 FOR A FINE.
25 OUR REGIONAL SRRE IS APPROVED, AND



1 WE'RE IN THE PROCESS OF IMPLEMENTING IT. AS I
2 MENTIONED, WE HAVE COMPLETED THE \$17 MILLION MRF,
3 AND THAT'S NOW IN OPERATION PROCESSING
4 RECYCLABLES. ITS FIRST YEAR OF PROCESSING WILL BE
5 CONCLUDED AT THE END OF THIS YEAR. PRIOR TO THAT
6 TIME, WE HAD A SMALL INTERIM FACILITY THAT WAS
7 BEING USED. CLOSED THAT DOWN. SPENT NEARLY \$2
8 MILLION TO BUY EQUIPMENT AND PUT A PROCESSING LINE
9 IN THE MRF, AND THAT'S NOW OPERATING.
10 AS YOU HEARD ME SAY, THE WEST COUNTY
11 LANDFILL IS GOING TO CLOSE. IT LOOKS LIKE IT'S
12 NOW NOT TWO YEARS, PROBABLY EARLY 1999. THAT'S AN
13 INSIDE JOKE IF YOU'VE BEEN FOLLOWING OUR CLOSURE
14 DATES. WE'VE GOT A NEW LANDFILL SELECTED THROUGH
15 COMPETITIVE BIDDING WHEN THAT TIME COMES.
16 RELATIVE TO AB 939, SOME OF OUR
17 MAJOR ACTIVITIES, WE'VE ESTABLISHED A HOME
18 COMPOSTING PROGRAM AND WE REALLY GOT IT UNDER WAY
19 IN EARLY 1995. WE'VE HAD MORE THAN A HUNDRED
20 FIFTY PEOPLE GO THROUGH OUR WORKSHOPS. WE HAVE
21 THEM IN THE SPRING AND FALL, GENERALLY ABOUT FOUR
22 EACH. WE GENERALLY GET ABOUT 20 TO 30 PEOPLE,
23 WHICH IS A GOOD SIZE, NOT TOO BIG.
24 ONCE EACH SPRING - - WE'VE HAD ONE
25 SPRING AND ONE FALL BIN SALE. WE DON'T SUBSIDIZE



1 OUR BINS. WE'VE MADE ARRANGEMENTS FOR A BIN
2 MANUFACTURER IN SEATTLE, IF YOU'VE HEARD THAT, TO
3 GET A PUBLIC AGENCY OR GOVERNMENTAL RATE, IF YOU
4 WILL, AND WE MAKE THAT AVAILABLE TO OUR RESIDENTS.
5 WE'VE ESTABLISHED A BUSINESS WASTE PREVENTION
6 PROGRAM, AND THE GOAL OF THAT PROGRAM IS TO GET
7 OUT IN THE STREET AND MEET WITH INDIVIDUAL
8 BUSINESSES AND SEE IF WE CAN'T HELP THEM IDENTIFY
9 WAYS TO REDUCE WASTE AND INCREASE THEIR RECYCLING,
10 AND WE'RE DOING THAT IN CONJUNCTION WITH THE WASTE
11 HAULERS
12 WE HAVE PARTICIPATED WITH OTHER
13 AGENCIES HERE, AND THIS IS MORE OF A COUNTYWIDE
14 EFFORT, AND OUR NEWSPAPER, WHICH IS THE "WEST
15 COUNTY TIMES," ALSO THE "CENTRAL COUNTY TIMES," IN
16 THE DEVELOPMENT OF AN ENVIRONMENTAL TEACHING AID,
17 WHICH INVOLVES A HOME GUIDE THAT BRINGS NOT ONLY
18 SOLID WASTE, BUT THE WASTEWATER TREATMENT, WATER
19 AND ALL OF THOSE ISSUES TOGETHER IN AN INTEGRATED
20 ENVIRONMENTAL PACKAGE. WE'LL CONTINUE TO WORK ON
21 THAT AND CONTINUE TO IMPROVE THAT.
22 ONE OF THE THINGS THAT WE'VE DONE
23 WITH YOUR ASSISTANCE IS FOCUS GROUPS USING USED
24 OIL OPPORTUNITY GRANT MONEY. AS YOU RECALL, OUR
25 COMMUNITY IS VERY DIVERSE. AND WHAT WE DID IS,



1 USING USED OIL RECYCLING AS THE TOPIC, WE CAME TO
2 YOUR BOARD AND RECEIVED A GRANT TO CONDUCT FOCUS
3 GROUPS AND TO DESIGN EDUCATION OUTREACH
4 ACTIVITIES, TARGETING COMMUNITIES OF COLOR,
5 COMMUNITIES WHO SPEAK ENGLISH AS A SECOND
6 LANGUAGE.
7 THAT WORK HAS BEEN DONE. WE'VE
8 SUBMITTED THE REPORT TO YOUR STAFF. IT HAS SOME
9 VERY, I THINK, INFORMATIVE THINGS FOR US TO USE
10 NOW AS WE MOVE INTO CONSIDERING THIS ISSUE WITH
11 RESPECT TO SOURCE REDUCTION, RECYCLING, AND THINGS
12 OTHER THAN USED OIL, AND WE WILL BE USING THAT.
13 WE CONDUCT MOBILE - - EXCUSE ME - - WE
14 FUND MOBILE HOUSEHOLD HAZARDOUS WASTE COLLECTION
15 EVENTS AT THE COUNTY THROUGH WHAT ITS PROGRAM
16 PROVIDES TO US FOR A YEAR IN OUR AREA. WE
17 DISTRIBUTE USED OIL RECYCLING CONTAINERS. I WAS
18 GOING TO BRING ONE, AND I DECIDED I DIDN'T WANT TO
19 TOTE IT AROUND. YOU'VE PROBABLY ALL SEEN THOSE.
20 AGAIN, USING OIL BLOCK GRANT FUNDS. WE ALSO
21 PROMOTE IT AND DO THOSE SORTS OF THINGS. I THINK
22 YOU HAVE IN THE ACTIVITIES AN EXAMPLE OF WHAT WE
23 CAME UP WITH.
24 WE HAVE RESIDENTIAL CURBSIDE IN
25 PLACE, AND WE JUST ADDED FORMALLY TO PROMOTE THIS



1 AS A PROMOTIONAL ITEM - PROMOTED ITEM, CARDBOARD.
2 WE ARE TARGETING THE COLLECTION OF CARDBOARD AND
3 WHITE PAPER AND JUST STARTED WITH MIXED PAPER FROM
4 BUSINESSES. AND WE HAVE, AS I SAID, OUR
5 COMMERCIAL - - OR EXCUSE ME - - OUR PROCESSING AND
6 MARKETING CAPABILITY ESTABLISHED.
7 WE'VE ALSO GOT NOW, TECHNICALLY IN
8 LATE '96, A COMMERCIAL COMPOSTING FACILITY. IT'S
9 PRIVATELY OWNED, OWNED BY WEST CONTRA COSTA
10 SANITARY LANDFILL, AFFILIATED WITH RICHMOND
11 SANITARY, THAT'S BEEN IN OPERATION NOW AT THE
12 LANDFILL. IT CURRENTLY IS TAKING IN A LOT OF OUR
13 SELF-HAULED WASTE AND GREEN WASTE FROM ELSEWHERE
14 AND COMPOSTING AND MARKETING IT.
15 CITY OF EL CERRITO HAS INITIATED IN
16 APRIL 1ST OF THIS YEAR CURBSIDE COLLECTION OF
17 GREEN WASTE. THERE'S ALSO CONCRETE AND ASPHALT
18 RECYCLING FACILITIES AT THE LANDFILL. THE ASPHALT
19 IS BOILED DOWN INTO FACILITIES IN THAT SAME
20 GENERAL AREA AS THE TPM FACILITY.
21 WE PARTICIPATE IN CONTRA COSTA
22 RECYCLING MARKET REDEVELOPMENT ZONE.
23 WHERE ARE WE AT? WE REPORTED TO YOU
24 THAT WE HAVE 31 - - 33.15-PERCENT DIVERSION RATE IN
25 1995. WE REPORTED TO YOU THAT WE HAVE A 27.11



1 DIVERSION RATE IN 1996. SOUNDS GOOD, HUH?

2 WHAT APPARENTLY IS HAPPENING TO

3 US - - THAT'S ABOUT A 14,000 TON OR JUST UNDER

4 10-PERCENT INCREASE. IT LOOKS LIKE THERE'S BEEN A

5 SIGNIFICANT INCREASE IN SELF-HAULING OF WASTE.

6 THE STUFF THAT WE PICK UP IN OUR GARBAGE TRUCKS

7 UNDER FRANCHISE RELATIVE TO '95 IS SOMEWHAT THE

8 SAME OR DOWN, PARTICULARLY IN THE RESIDENTIAL

9 COMPONENT. THE SELF-HAUL MATERIALS APPEAR TO BE

10 INCREASING. I THINK THAT'S A NUMBER OF

11 POSSIBILITIES. THE ECONOMY IS BETTER THAN IT WAS

12 IN '95, AND I THINK PART OF A REACTION TO RATES

13 IS, PARTICULARLY IN THE COMMERCIAL/INDUSTRIAL

14 SECTORS, TO LOOK AROUND AND SAY, "IF IT'S GOING TO

15 COST ME THAT MUCH, MAYBE I OUGHT TO DO IT MYSELF."

16 SO WE'VE GOT AN INCREASE IN DISPOSAL

17 TONNAGE INDICATED FOR '96 OVER '95. WHAT NEXT?

18 FUNDAMENTALLY IT'S TO GO AFTER THE COMMERCIAL!

19 INDUSTRIAL SECTOR IN TERMS OF WASTE PREVENTION AND

20 RECYCLING. I THINK IF WE ARE GOING TO GET TO THE

21 50 PERCENT, WE'RE GOING TO HAVE TO GO TO CURBSIDE

22 OR SOME FORM OF COLLECTION. I HESITATE TO SAY

23 CURBSIDE AT THIS POINT AND COMPOST AND RESIDENTIAL

24 GREEN WASTE.

25 WE'RE IN THE PROCESS OF MODIFYING



1 RSS, MODIFYING THEIR COLLECTION SYSTEM TO GET THE
2 RATES DOWN. THEY'RE DOING PILOT PROGRAMS WHICH
3 SHOULD ALL BE ON THE STREET IN MOVING THE GARBAGE
4 ALL TO THE CURB AND GOING TO ONE-PERSON VEHICLES
5 WHICH ALLOW SOME OPPORTUNITIES IN EXISTING RATES
6 TO ADD ADDITIONAL SERVICES.
7 WE'RE LOOKING AT IMPLEMENTING A
8 SEGREGATED WOODWASTE RECYCLING PROGRAM WHERE THE
9 WOODWASTE WOULD BE TAKEN TO A FACILITY IN NORTH
10 RICHMOND FOR REMANUFACTURING.
11 AND FUNDAMENTALLY WE'RE LOOKING AT
12 DEVELOPING A SUSTAINABLE EDUCATION AND PUBLIC
13 INFORMATION PROGRAM THAT REALLY TALKS ABOUT
14 OUTREACH TO OUR COMMUNITIES, COMMUNITIES OF COLOR
15 AND WHO SPEAK ENGLISH AS A SECOND LANGUAGE, USING
16 THE USED OIL FOCUS GROUP RESULTS THAT WE OBTAINED.
17 WE'RE NOW MOVING TO RELOOK AT OUR
18 EDUCATION AND PUBLIC INFORMATION AND REALIZING
19 WE'VE GOT TO BUILD IT FROM THE BOTTOM UP AND GET
20 THE PARTICIPATION OF THE COMMUNITY IN THESE
21 EFFORTS. AND WE WILL BE LOOKING TO, I THINK, COME
22 TO OUR BOARD WITH A PROPOSAL IN THE NEXT PROBABLY
23 SIX MONTHS TO INCREASE OUR EFFORTS IN THAT
24 DIRECTION.
25 WELL, EVERYTHING IS NOT ROSY



1 OBVIOUSLY, AND WE HAVE SOME OPPORTUNITIES WHICH WE
2 NEED TO ADDRESS. AND I THINK THE EDUCATION
3 POINT - - IN MY MIND SOURCE REDUCTION, WASTE
4 PREVENTION IS EDUCATION, PURE AND SIMPLE. IT'S
5 THE SAME THING THAT I REMEMBER YEARS AGO RUNNING
6 INTO WHEN THE AIR PROGRAMS WERE COMING AROUND.
7 FUNDAMENTALLY WE'RE TALKING ABOUT CHANGING
8 PEOPLE'S BEHAVIOR. WE'RE TALKING ABOUT CREATING A
9 NEXUS BETWEEN AN INDIVIDUAL'S THOUGHT PROCESS AND
10 THEIR GARBAGE. AND I THINK THAT'S EDUCATION, AND
11 THAT'S THE WAY WE'RE APPROACHING IT. WE'RE GOING
12 TO BE LOOKING AT EDUCATION AS THE KEY.
13 WE'VE GOT TO COME UP WITH MEANS TO
14 COST EFFECTIVELY RECYCLE ADDITIONAL MATERIALS AS
15 WELL AS INCREASE THE QUANTITIES OF EXISTING ONES
16 AND GET PEOPLE TO USE THE SERVICES THAT ARE OUT
17 THERE. OUR PARTICIPATION RATES AT CURBSIDE ARE
18 REPORTED ABOUT 50 SOME ODD PERCENT. WE DO HAVE
19 POCKETS WHERE IT'S VERY LOW BECAUSE OF A NUMBER OF
20 REASONS. WE NEED SOME SUSTAINABLE MARKETS THAT
21 YIELD SOME REVENUE. I KNOW THERE IS THE CONCEPT
22 OF AVOIDED COST IN LANDFILL DISPOSAL.
23 I KEEP RUNNING UP AGAINST THIS WHEN
24 I'M IN FRONT OF PEOPLE AND I WANT MONEY OUT OF
25 THEIR POCKETS FOR RATES. I FIND IT DIFFICULT TO



1 TELL THEM ON THE ONE HAND TO LEARN TO RECYCLE
2 SOMETHING, BUT ON THE OTHER HAND, I GOT TO PUT
3 SOME MONEY IN HERE TO PAY FOR SOMEONE TO GET RID
4 OF THIS MATERIAL. SO WE NEED SOME REVENUE,
5 POSITIVE REVENUE, AT LEAST DON'T HAVE TO PAY TO
6 GET RID OF IT.
7 THE COST OF SERVICES TO GET THESE
8 PROGRAMS IN PLACE IS GOING TO HAVE TO BE PAID FOR
9 BY RATES. AND THERE'S GRANT MONIES, BUT
10 FUNDAMENTALLY IT'S GOING TO COME DOWN TO RATES.
11 AND WE'RE GOING TO HAVE TO RECOGNIZE THAT
12 CONSTRAINT AS WE MOVE AHEAD.
13 MY LAST OPPORTUNITY ON MY LIST IS
14 THE INTEGRATION OF THE HOUSEHOLD HAZARDOUS WASTE
15 PLAN IMPLEMENTATION. YOU HEARD A PRESENTATION
16 FROM THE CENTRAL SAN DISTRICT. VERY OUTSTANDING.
17 WE'RE NOT THAT WELL OFF. WE'RE ENCOUNTERING A
18 SITUATION WHERE IN OUR AREA THE VIEW TENDS TO
19 BE - IN FACT, A REPRESENTATIVE OF THE SANITARY
20 DISTRICT SAID IT'S NOT THEIR PROBLEM; IT'S OURS.
21 FUNDAMENTALLY WHAT WE FIND HAPPENING
22 IS THAT THE STATE LEVEL PROGRAMS WHICH MANDATE
23 THAT YOU TELL PEOPLE NOT TO PUT IT DOWN THE STORM
24 DRAINS, YOU TELL PEOPLE NOT TO PUT IT DOWN THE
25 SEWER, YOU TELL PEOPLE NOT TO PUT IN DOWN THE



1 GARBAGE CAN, AND THE ONLY PEOPLE THAT GET MANDATED
2 TO FIND A PLACE TO PUT IT IS IN AB 939.
3 I WOULD ENCOURAGE YOU - - MAYBE WE'RE
4 THE ONLY ONES HAVING THIS PROBLEM. I DON'T KNOW.
5 I WOULD ENCOURAGE YOU TO LOOK AT THE STATE
6 MANDATES, AND IT SEEMS TO ME LIKE EVERYONE OUGHT
7 TO BE MANDATED, NOT ONLY NOT TO PUT IT THERE, BUT
8 TO FIND A PLACE TO PUT IT. THAT'S A PROBLEM I
9 THINK YOU COULD BE OF HELP TO US.
10 IN CLOSING, GETTING TO 50 PERCENT IS
11 GOING TO BE DIFFICULT, AND IT'S PROBABLY GOING TO
12 INVOLVE COST ADDITIONS. WE'RE TRYING TO WORK AND
13 CONTINUE TO WORK TOWARDS THAT 50-PERCENT GOAL,
14 EMPHASIZING WASTE PREVENTION AND REDUCTION. WE'VE
15 GOT TO RECOGNIZE OUR ECONOMIC CONSTRAINTS BECAUSE
16 WE HAVE PEOPLE WHO ARE PAYING THE BILL, AND WE'VE
17 GOT TO CONSIDER THE MARKETS FOR THE MATERIAL SO
18 THAT WE DON'T WIND UP PRODUCING SOMETHING AND
19 SEPARATING IT ONLY TO FIND OUT THAT WE CAN'T GET
20 RID OF IT. THANK YOU VERY MUCH.

21 CHAIRMAN PENNINGTON: QUESTIONS?

22 BOARD MEMBER CHESBRO: FIRST OF ALL, I
23 WANTED TO COMPLIMENT THE AUTHORITY, AS I SAID, FOR
24 BEING, I BELIEVE, THE FIRST REGIONAL AUTHORITY
25 APPROVED BY THE BOARD AND FOR MOVING FORWARD IN A



1 VERY PROGRESSIVE WAY ON A WIDE VARIETY OF FRONTS.
2 I ALSO WANTED TO POINT OUT . - I
3 DON'T THINK I HEARD YOU MENTION. DID I OVERLOOK?
4 I APOLOGIZE - . THE CITY OF RICHMOND'S PROJECT THIS
5 YEAR THAT THE BOARD GRANTED FOR RUBBERIZED ASPHALT
6 CONCRETE.
7 ONE OF THE PURPOSES OF THAT GRANT
8 WAS TO TRY TO EVANGELIZE OR EDUCATE THE OTHER
9 JURISDICTIONS. AND WE WERE REALLY ENCOURAGING THE
10 THREE JURISDICTIONS THAT GOT OR FOUR JURISDICTIONS
11 THAT GOT THOSE GRANTS TO USE IT AS AN EDUCATIONAL
12 PROCESS BECAUSE THE PURPOSE IS NOT TO SUBSIDIZE IN
13 A LONG TERM THEIR PROCESS, BUT TO LET PEOPLE KNOW
14 THAT IT'S VERY COST-EFFECTIVE. SO I WANTED TO
15 ENCOURAGE THE AUTHORITY TO WORK WITH THE CITY ON
16 GETTING YOUR OTHER JURISDICTIONS TO BECOME
17 EDUCATED THROUGH THE PROJECT. THEY'RE GOING TO
18 SEE THIS VERY WORTHWHILE USE OF RECYCLED TIRES.

19 MR. DAVIS: WE'LL DO THAT.

20 CHAIRMAN PENNINGTON: MR. RELIS.

21 BOARD MEMBER RELIS: BILL, I'D LIKE TO GO
22 BACK TO SOME OF THE POINTS IN YOUR STATUS REPORT
23 AND PARTICULARLY LOOKING AHEAD TO MOVING FROM
24 SOMEWHERE BETWEEN 27 AND 33 PERCENT THAT YOU'RE
25 AT. WHAT WOULD YOU LIKE TO SEE FROM THIS BOARD?



1 WE'RE GOING THROUGH A PROCESS OURSELVES OF
2 STRATEGIC PLANNING, AND WE'RE BASICALLY LOOKING AT
3 SOMEWHERE - - WE'RE TARGETING SOMEWHERE BETWEEN 15
4 AND 20 PERCENT, WHICH IS THE REMAINING GAP IN
5 ACHIEVING STATEWIDE THE GOAL. WHERE DO YOU THINK
6 WE CAN HELP YOU THE MOST? I SEE THAT YOU HAVE A
7 NUMBER OF OPPORTUNITIES TO BE ADDRESSED. WHAT
8 ROLE, IF ANY, DO YOU SEE THE BOARD PLAYING THAT IN
9 ASSISTING?

10 MR. DAVIS: I'D LIKE YOU TO FIND SOME
11 GOOD, STRONG MIXED PAPER MARKETS THAT WILL TAKE
12 MIXED PAPER OFF MY HANDS AND MAKE SOME MONEY FOR
13 ME. THAT'S PROBABLY OUR BIGGEST SEGMENT.
14 COMPOSTING TYPICALLY WILL WORK WHEN
15 YOU KNOW THE COST ISSUES ON THE COLLECTION SIDE OF
16 IT. AND THE RATES THAT I THINK THAT WE'RE LOOKING
17 AT FOR DISPOSAL ARE MUCH HIGHER THAN YOU'RE GOING
18 TO SEE FOR COMPOSTING.
19 I THINK THE OTHER THING, STEPPING
20 BACK EVEN FURTHER, WE'VE BEEN AT THIS - - AND THE
21 LAW HAS BEEN IN PLACE EIGHT YEARS. WE'VE BEEN AT
22 THIS FOR A NUMBER OF YEARS. AND I THINK IT'S TIME
23 TO ASK THE QUESTION: HAVE WE MOVED OURSELVES AND
24 OUR SOCIETY FAR ENOUGH ALONG ON THE POINT WHERE
25 SOME OF THESE THINGS THAT WE DO - - I NOTE THAT YOU



1 HAVE SOME SEVEN ITEMS ON YOUR AGENDA WHERE PEOPLE
2 ARE GOING BACK AND DOING ACCOUNTING AND BASELINE
3 ADJUSTMENTS. WE'RE MEASURING THINGS ON A
4 QUARTERLY BASIS. THOSE NUMBERS ARE NUMBERS.
5 THEY'RE VERY PRECISE. I HAVE MY DOUBTS HOW
6 ACCURATE THEY REALLY ARE.
7 WE'RE AT A POINT, IT SEEMS TO ME,
8 WHERE WE'RE FALLING INTO THE RISK OF FALLING AND
9 CONTINUING TO DO THINGS JUST BECAUSE THAT'S THE
10 WAY WE'RE DOING THEM. I THINK IT'S TIME TO START
11 THINKING ABOUT STEPPING BACK AND LOOKING AT WHAT
12 WE'RE DOING TO SEE WHETHER OR NOT - - I MEAN I
13 UNDERSTAND THE BASIC REASON FOR WHY AB 939 WAS THE
14 WAY IT WAS.
15 WE NEED TO MOVE THE THINKING, WE
16 NEED TO MOVE CITIES' THINKING, WE NEED TO MOVE
17 SOCIETIES' THINKING AWAY FROM JUST TOSS IT AWAY.
18 HAVE WE MOVED IT FAR ENOUGH WHERE WE CAN CONSIDER
19 OTHER MECHANISMS NOW TO DO THAT? AND PERHAPS YOU
20 DON'T HAVE TO SPEND THE STAFF TIME ON ACCOUNTING.
21 WE DON'T HAVE TO SPEND THE STAFF TIME ON
22 ACCOUNTING, AND WE CAN USE OUR MONEY TO DO OTHER
23 THINGS.
24 BOARD MEMBER RELIS: YOU MEAN MORE ON THE
25 IMPLEMENTATION OR - -



1 MR. DAVIS: I DON'T THINK THERE'S ANY
2 MAGIC BULLET YOU CAN GIVE US THAT HELPS US UNLESS
3 YOU CAN KIND OF WAVE YOUR MAGIC WAND AND SAY
4 THERE'S A MIXED PAPER MARKET. THE OTHER WAY YOU
5 CAN HELP US IS SEND MONEY. SEND MONEY.
6 IN OUR PARTICULAR CASE, WE'RE
7 SITTING THERE LOOKING AT RATES THAT ARE HIGH. AND
8 THE FOLK IN MY AREA DON'T LIKE ME TO COME UP AND
9 TELL THEM IT'S GOING TO GO UP. THOSE ARE TWO
10 FUNDAMENTAL THINGS. I DON'T THINK - - I DON'T
11 THINK YOU - - IF YOU WORRY ABOUT HOW THE DECK
12 CHAIRS ARE STACKED AND COUNTING NUMBERS AND DOING
13 THINGS LIKE THAT, I DON'T THINK YOU'RE GOING TO
14 HELP US MUCH.
15 I ENCOURAGE YOU TO THINK ABOUT THE
16 PROCESS OF WHAT WE DO, HOW DOES THAT HELP US THINK
17 ABOUT THE MONEY ISSUE AND FREEING UP SOME
18 RESOURCES IN THAT DIRECTION IF WE'RE DOING
19 SOMETHING THAT DOESN'T NEED TO BE DONE. I'M NOT
20 OPPOSED - - I'M NOT TALKING ABOUT COST-
21 EFFECTIVENESS OR ANY OF THOSE SORTS OF THINGS THAT
22 ARE BEING TALKED ABOUT BY SOME OTHER PEOPLE. I'M
23 SIMPLY SAYING LOOK AT THE WAY WE'RE DOING BUSINESS
24 AND THINGS THAT WE'RE DOING AND THE MONEY THAT
25 YOU'RE SPENDING, LOCAL JURISDICTIONS ARE SPENDING.



1 ARE WE USING IT TO GET TO THE BEST WAY POSSIBLE?

2 THAT'S WHAT I SUGGEST. THAT'S THE TWO THINGS:

3 SEND MONEY AND FIND US MARKETS FOR THAT THAT WILL

4 GIVE US SOME REVENUE FOR MIXED PAPER AND SOME

5 OTHER RECYCLABLES. THAT'S OUR BIG COMMODITY.

6 CHAIRMAN PENNINGTON: OKAY. THANK YOU

7 VERY MUCH.

8 WE'LL MOVE ON NOW TO COMMITTEE

9 REPORTS.

10 BOARD MEMBER GOTCH: THANK YOU, MR.

11 CHAIRMAN. LEGISLATION AND PUBLIC EDUCATION

12 COMMITTEE MET ON AUGUST 19TH TO CONSIDER ONE STATE

13 MEASURE, SB 1196, LESLIE. THIS BILL DEALS WITH

14 ALPINE COUNTY'S PLANNING DOCUMENTS. THE LPEC

15 COMMITTEE PREVIOUSLY VOTED TO HAVE THIS BILL HELD

16 IN COMMITTEE ON THE COMMITMENT FROM THE AUTHOR'S

17 OFFICE TO DROP THE BILL ONCE THE BOARD APPROVED

18 ALPINE COUNTY'S PETITION FOR REDUCTION IN THEIR

19 SITING ELEMENT AND SUMMARY PLAN. THE PETITION FOR

20 REDUCTION IS ON TODAY'S CONSENT AGENDA FOR THE

21 PLANNING COMMITTEE. THE LPEC COMMITTEE VOTED

22 THREE ZERO TO OPPOSE THIS BILL.

23 ALSO ON THE AGENDA UPDATE, STAFF IS

24 WORKING CURRENTLY ON THE HOLIDAY SHOPPING BAG

25 PROMOTION WITH RALPH'S GROCERY CHAIN TO DEVELOP A



1 SIMILAR PARTNERSHIP IN NORTHERN CALIFORNIA AS
2 WELL. THE ISADOR COHEN SCHOOL, OUR ADOPTED SCHOOL
3 IN SACRAMENTO, ENTHUSIASTICALLY EMBRACED THE IDEA
4 OF SECOND CHANCE WEEK ACTIVITIES BY DOING ESSAYS,
5 GARBAGE ART, AND POSTERS. AND THE CLOSING THE
6 LOOP PROGRAM WAS RECENTLY HIGHLIGHTED IN THE JULY
7 ISSUE OF "WASTE AGE MAGAZINE." AND COPIES ARE
8 AVAILABLE THROUGH THE PUBLIC EDUCATION DIVISION.
9 FINALLY, LPEC COMMITTEE RECEIVED AN
10 UPDATE FROM THE PUBLIC AFFAIRS DIVISION. THE
11 ANNUAL REPORT IS NOW AT THE PRINTERS, AND COPIES
12 ARE TO BE MADE AVAILABLE IN EARLY SEPTEMBER.
13 STAFF ARE CURRENTLY WORKING IN THE PUBLIC
14 EDUCATION DIVISION TO DEVELOP GRAPHICS FOR HOLIDAY
15 PREVENTION MEASURING, RECYCLING DAY, AND SECOND
16 CHANCE WEEK. AND THAT CONCLUDES MY REPORT.

17 CHAIRMAN PENNINGTON: THANK YOU.
18 PERMITTING AND ENFORCEMENT COMMITTEE CHAIRED BY
19 MR. FRAZEE.

20 BOARD MEMBER FRAZEE: YES, MR. CHAIRMAN,
21 PERMITS COMMITTEE MET ON AUGUST 6TH. HAD A RATHER
22 SHORT AGENDA OF SIX ITEMS THIS TIME. THREE OF
23 THOSE ITEMS ARE RECOMMENDED FOR TODAY'S CONSENT
24 CALENDAR, THE FIRST OF WHICH IS A PERMIT FOR A NEW
25 SOLID WASTE FACILITY PERMIT FOR WILLITS SOLID



1 WASTE TRANSFER AND RECYCLING STATION IN MENDOCINO
2 COUNTY, A NEW SOLID WASTE FACILITY PERMIT FOR THE
3 CAL-MRT TRANSFER STATION IN LOS ANGELES COUNTY,
4 AND AN ADDITIONAL ITEM RECOMMENDED FOR THE CONSENT
5 CALENDAR, A LIST OF NEW SITES FOR SOLID WASTE
6 DISPOSAL AND CODISPOSAL CLEANUP PROGRAM.
7 THEN ITEMS FORWARDED TO THE BOARD
8 FOR THE REGULAR AGENDA, THE FIRST IS A REVISED
9 SOLID WASTE FACILITY PERMIT FOR THE TAFT SANITARY
10 LANDFILL IN KERN COUNTY, AND NEXT IS THE APPROVAL
11 TO BEGIN A 15-DAY PUBLIC COMMENT PERIOD FOR
12 STORAGE, VERMICOMPOSTING, CHIPPING AND GRINDING
13 REGULATIONS. THAT WAS ACCOMPLISHED BY ACTION OF
14 THE COMMITTEE, AND THEN TO FORWARD TO THE BOARD
15 THE ADOPTION OF A NEGATIVE DECLARATION AND
16 PROPOSED REGULATIONS FOR STORAGE, VERMICOMPOSTING,
17 AND CHIPPING AND GRINDING REGULATIONS. AND
18 FINALLY, INFORMATION ON AND DISCUSSION OF THE
19 TITLE 27 SOLID WASTE FACILITIES PERMITTING
20 PROCESS. THAT COMPLETES MY REPORT.

21 CHAIRMAN PENNINGTON: THANK YOU, MR.
22 FRAZEE. MARKET DEVELOPMENT COMMITTEE CHAIRED BY
23 MR. RELIS.

24 BOARD MEMBER RELIS: MR. CHAIR, WE HEARD
25 SIX ITEMS IN COMMITTEE AND, THREE ARE ON TODAY'S



1 AGENDA. COMMITTEE HEARD TWO UPDATES RELATED TO
2 THE RECYCLING MARKET DEVELOPMENT ZONE ACTIVITIES,
3 ONE ON STAFF'S MARKETING ACTIVITIES AND THE OTHER
4 ON MORE LOCAL WORK. BOTH PROVIDED IMPORTANT
5 INFORMATION RELATIVE TO THE THIRD ITEM ON TODAY'S
6 AGENDA, CONSIDERATION OF CONTRACT CONCEPTS FOR
7 MARKETING THE ZONES.
8 FOR THIS ITEM THE COMMITTEE ADOPTED
9 STAFF'S RECOMMENDATION REGARDING THE CONTENT OF
10 THE CONTRACT CONCEPTS FOR MARKETING THE ZONES WITH
11 ONE MODIFICATION AND FORWARDED THE CONCEPTS TO
12 NEXT MONTH'S ADMINISTRATION COMMITTEE FOR
13 APPROVAL.
14 THE TWO CONCEPTS INVOLVED, ONE IS
15 HOLDING A SERIES OF INVESTMENT FORUMS IN
16 PARTNERSHIP WITH THE U.S. EPA AROUND THE STATE.
17 IT WOULD INVOLVE BOTH BOARD MONEY AND THE EPA
18 MONEY, CONTRACTING FOR ADDITIONAL SERVICES AS WELL
19 TO ASSIST RURAL ZONES. THE COMMITTEE MODIFIED THE
20 INVESTMENT FORUM CONCEPT TO AUTHORIZE UP TO
21 \$120,000, AS SUGGESTED BY STAFF, BUT DIRECTED THAT
22 TWO FORUMS BE CONDUCTED FIRST AND THAT WE EVALUATE
23 THE RESULTS OF THESE FORUMS BEFORE COMMITTING THE
24 FULL FUNDING TO ADDITIONAL WORKSHOPS.
25 IN ADDITION, THE COMMITTEE DIRECTED



1 STAFF TO EXAMINE POSSIBLE FINANCIAL INCENTIVES FOR
2 ZONE ADMINISTRATOR AND EXAMINE WHETHER THE
3 CALIFORNIA ASSOCIATION OF ZONES MIGHT EXAMINE
4 POSSIBLE OPTIONS AND MAKE RECOMMENDATIONS TO STAFF
5 AND THE MARKET DEVELOPMENT COMMITTEE THIS FALL.
6 THIS HAS BEEN A SUBJECT OF ONGOING DISCUSSION TO
7 SEE IF WE CAN PROVIDE FURTHER INCENTIVES TO THE
8 ZONES THAT ARE WORKING WELL IN THE STATE.
9 THE FOURTH ITEM CONCERNED METHODS TO
10 INCREASE LOANS PROCESSED, INCLUDING STAFF
11 RECOMMENDATIONS ON LENDING PROCEDURES AND ON THE
12 LEVEL OF ORIGINATION FEES CHARGED TO BORROWERS.
13 THE COMMITTEE MOVED TO ADOPT THE PROPOSED LOAN
14 PROGRAM LENDING PROCEDURES EXCEPT TO DELETE THE
15 APPEAL PROCESS FOR DENIALS MADE BY THE LOAN
16 COMMITTEE ON THE BASIS OF CREDIT.
17 IN ADDITION, THE COMMITTEE DIRECTED
18 STAFF TO EXAMINE THE POTENTIAL USE OF LOAN
19 ORIGINATION FEES FOR USE AS A FINANCIAL INCENTIVE
20 AND TO EXAMINE ANY LEGAL ISSUES REGARDING THE
21 ADMINISTRATIVE COSTS COVERED BY THE LOAN
22 ORIGINATION FEES.
23 THE FIFTH ITEM CONCERNED
24 CONSIDERATION OF A REVISED PRIORITY RATING SYSTEM
25 SET UP IN THE EVENT THAT WE HAD - . WE WERE



1 COMPETING FOR ESSENTIALLY NO AVAILABLE DOLLARS
2 BEYOND THE FIVE MILLION THAT WE HAD. THE
3 COMMITTEE DIRECTED STAFF TO DISCONTINUE THE USE OF
4 THE CURRENT RANKING SYSTEM AND TO RETURN WITH A
5 NEW PROPOSAL BASED ON THE DISCUSSION AT THE
6 COMMITTEE WHEN IT LOOKS AS IF THE DEMAND FOR LOAN
7 FUNDS EXCEEDS THE SUPPLY. WE DON'T THINK IT'S
8 IMPORTANT TO PURSUE THIS AT THIS POINT GIVEN THAT
9 THE DEMAND IS LESS THAN SUPPLY.
10 FINALLY, THE COMMITTEE CONSIDERED
11 THE CALIFORNIA POSTCONSUMER PAPER UTILIZATION
12 RATE. I'D LIKE TO TIE THIS INTO MR. DAVIS'
13 COMMENT. I WISH WE HAD A MARKET FOR ALL THE MIXED
14 PAPER. WE HAVE AIMED AT THE BOARD AND ESTABLISHED
15 A POLICY TO RECOVER . - TO UTILIZE 50 PERCENT OF
16 THE PAPER GENERATED IN THE STATE. THAT'S A
17 VOLUNTARY GOAL. THE COMMITTEE MOVED TO ADOPT
18 STAFF'S RECOMMENDATION REGARDING THE PRELIMINARY
19 1996 RATE AND REVISED 1995 RATE, DIRECTED STAFF TO
20 WORK WITH THE EXPERT PARTIES TO EVALUATE OPTIONS
21 TO IMPROVE THE METHODOLOGY AND REVIEW PROCESS, AND
22 TO RETURN TO THE COMMITTEE WITH RECOMMENDATIONS
23 ASAP.
24 IN ADDITION, SINCE THE PRELIMINARY
25 RATE CALCULATION SHOWED A DOWNWARD TREND IN 1996



1 FROM ROUGHLY 34 TO ROUGHLY 31 PERCENT, THE
2 COMMITTEE DIRECTED STAFF TO SCREEN THE EXPERT
3 PARTIES TO EXAMINE THE PAPER GENERATION AND
4 RECOVERY SYSTEM AND RECOMMEND FUTURE ACTIONS
5 WITHIN THE FRAMEWORK OF THE STRATEGIC PLAN AND
6 50-PERCENT INITIATIVES TO ADDRESS PROBLEMS IN THE
7 SYSTEM AND TO REPORT BACK TO THE COMMITTEE WITHIN
8 TWO TO THREE MONTHS. THAT COMPLETES MY REPORT.

9 CHAIRMAN PENNINGTON: THANK YOU, MR.
10 RELIS. THE POLICY, RESEARCH, AND TECHNICAL
11 ASSISTANCE COMMITTEE CHAIRED BY MR. STEVEN JONES.

12 BOARD MEMBER JONES: THANK YOU, MR.
13 CHAIRMAN. POLICY COMMITTEE MET ON AUGUST 5TH,
14 HEARD SEVERAL ITEMS THAT ARE ON TODAY'S CONSENT
15 AGENDA. THE COMMITTEE APPROVED STAFF
16 RECOMMENDATIONS TO IMPROVE AND INTEGRATE OUR GRANT
17 PROGRAMS FOR LOCAL WASTE TIRE CLEANUPS, WASTE TIRE
18 ENFORCEMENT, AND LOCAL USE OF THE CONSERVATION
19 CORPS.
20 THE NEW CRITERIA ALLOWS LOCAL WASTE
21 TIRE MATCHING GRANTS TO GO FOR CLEANUPS OF SMALLER
22 PILES AND TO PERMIT LOCAL GOVERNMENTS TO OFFER
23 MATCHING IN-KIND SERVICES IN CERTAIN CASES AND IN
24 OTHER CASES THAT THAT MATCH COULD EVEN BE A LITTLE
25 BIT LESS THAN THE 50 PERCENT, BUT IT REQUIRES THAT



1 ANY MATCHING GRANT PARTICIPANTS ALSO PARTICIPATE
2 IN THE WASTE TIRE ENFORCEMENT PROGRAM. AND PERMIT
3 PERMITS ENFORCEMENT GRANTS TO GO TO APPROPRIATE
4 LOCAL AGENCIES OTHER THAN LEA'S; FOR EXAMPLE, FIRE
5 DISTRICTS OR LOCAL ENFORCEMENT AGENCIES OR OTHER
6 CODE ENFORCEMENT AGENCIES. UNDER THE NEW CRITERIA
7 APPLICANTS FOR LOCAL CONSERVATION CORPS FUNDS WILL
8 RECEIVE PREFERENCE IF THEY CAN LINK THEIR PROGRAMS
9 WITH LOCAL GOVERNMENT AND WITH LEA ENFORCEMENT
10 GRANTS.

11 ALSO ON THE CONSENT AGENDA IS AN
12 ITEM WHICH ESTABLISHES A CRITERIA FOR ALLOCATION
13 FOR 1.5 MILLION IN HOUSEHOLD HAZARDOUS WASTE
14 GRANTS. THIS YEAR'S CRITERIA EMPHASIZES THE NEED
15 FOR BUILDING LOCAL PERMANENT INFRASTRUCTURE. I
16 THINK WE HEARD A GOOD PRESENTATION TODAY ON THE
17 COST BENEFITS TO HAVING ESTABLISHED PERMANENT
18 PROGRAMS. AND THAT'S THE DIRECTION THAT WE'RE
19 GOING TO GO WITH THESE DOLLARS.

20 THE FINAL COMMITTEE ITEM ON THE
21 CONSENT AGENDA INCREASES THE BOARD'S PARTICIPATION
22 IN THE ASSOCIATION OF STATE AND TERRITORIAL SOLID
23 WASTE MANAGEMENT OFFICIALS, ASTSWMO. AND THIS IS
24 THE GROUP THAT IS VERY ACTIVE ON DETERMINING THE
25 NATIONAL POLICY OF SOLID WASTE ISSUES THROUGHOUT



1 THE UNITED STATES.
2 WE APPROVED TAKING A MORE ACTIVE
3 ROLE ON BEHALF OF CALIFORNIA SOLID WASTE ISSUES.
4 WE'RE ALREADY PART OF THIS ORGANIZATION IN TANDEM
5 WITH DTSC AND WITH THE WATER BOARD. WE'RE GOING
6 TO GET MORE INVOLVED, TRY TO GET PLACEMENT ON SOME
7 OF THE SUBCOMMITTEES AND COMMITTEES THAT ACTUALLY
8 MAKE THE POLICIES, AND BE MORE INVOLVED IN THAT
9 DIRECTION THROUGHOUT THE UNITED STATES, HOW WE'RE
10 GOING NATIONALLY, BECOME A LOT MORE INVOLVED IN
11 THAT. WE ARE CALIFORNIA, AND WE HAVE A PRETTY
12 VESTED STAKE IN THIS STUFF. SO WE'RE GOING TO BE
13 TAKING A LOT MORE INVOLVEMENT.
14 WE DID HEAR A STAFF PRESENTATION ON
15 ISSUES DEALING WITH THE DEREGULATION OF THE PUBLIC
16 UTILITIES COMMISSION. I THINK MR. CHANDLER IS
17 GOING TO TALK ABOUT PARTS OF THAT, SO I WON'T BORE
18 YOU.
19 AND WE HAVE AN ISSUE THAT HAS BEEN
20 HELD OVER TO NEXT MONTH FOR MORE WORK, AND THAT IS
21 A POLICY THAT IS GOING TO LOOK AT BOARD FUNDS AND
22 UNRELIABLE CONTRACTORS IN THE ISSUANCE OF THOSE
23 GRANTS AND LOANS AND DETERMINE A POLICY THAT CAN
24 BE CONSISTENT WITH GOOD MANAGEMENT PRACTICES SO
25 THAT WE DON'T FIND OURSELVES IN SITUATIONS THAT WE



1 DON'T WANT TO BE IN SOMEWHERE DOWN THE ROAD. WE
2 NEED A LOT MORE WORK ON DETERMINING WHAT THE
3 FACTORS ARE GOING TO BE THAT ARE GOING TO HELP
4 DRIVE THOSE KINDS OF DECISIONS, WHAT THAT MATRIX
5 IS GOING TO BE TO ALLOW US TO DO THOSE THINGS.
6 MR. CHAIRMAN, THAT'S MY REPORT.

7 CHAIRMAN PENNINGTON: THANK YOU,
8 ADMINISTRATION COMMITTEE, WHICH I CHAIR. THE
9 ADMINISTRATION COMMITTEE MET ON AUGUST THE 5TH,
10 HEARD TWO ITEMS, AND THESE ITEMS ARE BOTH ON THE
11 CONSENT CALENDAR AND INCLUDE THE APPROVAL OF
12 CONTRACT CONCEPTS FOR CALMAX AND THE WRAP AT
13 50,000 EACH. FUNDING FOR THESE CONTRACT CONCEPTS
14 HAS TRADITIONALLY BEEN SOLELY FROM THE IWMA FUND.
15 HOWEVER, FUTURE CALMAX CATALOGS WILL ALSO PROMOTE
16 USED OIL AND TIRE PROGRAM ACTIVITIES. THEREFORE,
17 THE CALMAX CONTRACT MAY BE SPLIT FUNDED BETWEEN
18 THE IWMA, THE USED OIL, AND THE TIRE FUNDS.
19 NOW WE'LL HEAR FROM LOCAL ASSISTANCE
20 AND PLANNING COMMITTEE CHAIRED BY MR. CHESBRO.
21 FOLLOWING HIS COMMITTEE REPORT, WE'RE GOING TO
22 HAVE A PRESENTATION. AND FOLLOWING THE
23 PRESENTATION, WE'LL TAKE AN SHORT BREAK FOR SOME
24 PICTURES.

25 BOARD MEMBER CHESBRO: THANK YOU, MR.



1 CHAIRMAN. LOCAL ASSISTANCE AND PLANNING COMMITTEE
2 CONSIDERED 21 PLANNING DOCUMENTS, WHICH
3 REPRESENTED 20 JURISDICTIONS, AND ALL THOSE PLANS
4 ARE ON THE CONSENT CALENDAR.
5 COMMITTEE ALSO APPROVED PLANNING
6 REQUIREMENTS FOR THE SUMMARY PLAN AND SITING
7 ELEMENT FOR ALPINE COUNTY, WHICH SHOULD MAKE
8 SENATE BILL 1196, MR. LESLIE'S BILL, UNNECESSARY.
9 AND AS USUAL, THE STAFF AND THE COMMITTEE AND
10 BOARD HAVE RESPONDED TO A PARTICULAR SITUATION
11 FACED BY A JURISDICTION BY WORKING WITH THEM TO
12 COME UP WITH SOLUTIONS THAT FIT THEIR PROBLEMS.
13 AND I BELIEVE STAFF HAS ADDRESSED ALL OF ALPINE'S
14 CONCERNS WITH THIS ITEM SO THAT SHOULD RESOLVE IT.
15 COMMITTEE ALSO CONSIDERED A REGIONAL
16 AGREEMENT FOR DEL NORTE COUNTY. AT THE COMMITTEE
17 WE HAD A DISCUSSION ABOUT THE DEFINITION OF RURAL,
18 WHICH HAS ALWAYS BEEN A PROBLEM, NOT JUST FOR THIS
19 BOARD, BUT FOR ALL STATE AGENCIES, TRYING TO
20 FIGURE OUT WHAT'S RURAL. BECAUSE CRESCENT CITY
21 DIVERTS TOO MUCH WASTE, THE NEWLY FORMED REGIONAL
22 AGENCY WILL NOT BE CONSIDERED RURAL, WHICH I FIND
23 THAT HIGHLY IRONIC. ANYBODY WHO KNOWS DEL NORTE
24 COUNTY, IT'S HARD TO IMAGINE THAT WE WOULD HAVE A
25 DEFINITION OF RURAL THAT WOULD NOT INCLUDE DEL



1 NORTE COUNTY. BUT THE CITY OF SUSANVILLE HAS ALSO
2 BEEN STYMIED BY THE DEFINITION OF RURAL FOR OTHER
3 REASONS.
4 TO DEAL WITH THIS PROBLEM, THE
5 COMMITTEE GAVE A GENERAL SENSE OF THE COMMITTEE
6 DIRECTION TO STAFF TO TALK TO ASSEMBLYMAN SHER AND
7 OTHER LEGISLATORS, IF THEY'RE INTERESTED, ABOUT
8 TRYING TO CORRECT SOME OF THESE PROBLEMS
9 LEGISLATIVELY.
10 ALSO, THE COMMITTEE CONSIDERED THE
11 CITY OF OXNARD'S BASE YEAR NUMBERS CHANGES. BASED
12 ON THE POLICY THE BOARD APPROVED LAST APRIL, THE
13 CITY PROVIDED THE REQUIRED DOCUMENTATION. AS A
14 RESULT WE NOW HAVE 1995 NUMBERS THAT WE CAN HAVE A
15 GREAT DEAL MORE CONFIDENCE IN.
16 THIS IS ANOTHER EXAMPLE THAT THE
17 POLICY APPROVED BY THE BOARD DOES WORK, AT LEAST
18 FOR THOSE JURISDICTIONS THAT HAVE STEPPED FORWARD
19 AND ATTEMPTED TO USE IT AND CAN PROVIDE US WITH
20 AND LOCAL JURISDICTION WITH BETTER BASE-YEAR DATA.
21 COMMITTEE ALSO RECEIVED UPDATES FROM
22 THE DIVERSION, PLANNING, AND LOCAL ASSISTANCE
23 DIVISION AND THE WASTE PREVENTION AND MARKET
24 DEVELOPMENT DIVISION ON A NUMBER OF ITEMS. I'LL
25 JUST MENTION ONE OF THEM.



1 LANDSCAPE INDUSTRY HONORED THE
2 BOARD'S GRASSCYCLING EDUCATION EFFORTS BY AWARDING
3 THE BOARD THE 1997 AWARD FOR EXCELLENCE IN PUBLIC
4 EDUCATION AT THE NORTHERN CALIFORNIA TURF AND
5 LANDSCAPE COUNCIL'S ANNUAL AWARDS BANQUET IN
6 OAKLAND. I'M DELIGHTED TO ANNOUNCE THAT THE
7 BOARD'S SOLID WASTE INDUSTRY, MR. JONES, RECEIVED
8 THAT ON BEHALF OF THE BOARD. AND I WANTED TO
9 THANK YOU, STEVE, FOR SHOWING YOURS AND THE
10 BOARD'S SUPPORT FOR WASTE PREVENTION EFFORTS THAT
11 WE'RE MAKING IN GRASSCYCLING AND YOUR TAKING A
12 SPECIAL INTEREST IN THAT SUBJECT.
13 AS THE CHAIRMAN INDICATED, WE HAVE
14 THIS MORNING ALSO WRAP AWARDS APPROVED WHICH WERE
15 APPROVED AT THE COMMITTEE. IT'S ON THE CONSENT
16 CALENDAR. AS MANY OF YOU KNOW, THE BOARD'S WASTE
17 REDUCTION AWARDS PROGRAM IS ONE OF OUR MOST
18 POPULAR PROGRAMS BECAUSE IT'S WHERE WE HIGHLIGHT
19 AND PROMOTE THOSE BUSINESSES THAT HAVE
20 INCORPORATED WASTE PREVENTION, RECYCLING, AND BUY
21 RECYCLED EFFORTS THROUGHOUT THE STATE. AND WE'VE
22 FOUND THAT THERE ARE LITERALLY HUNDREDS OF
23 BUSINESSES WHO NOT ONLY FIND THAT IT'S GOOD PUBLIC
24 RELATIONS, BUT ALSO THAT IT'S PROVING VERY
25 FINANCIALLY BENEFICIAL TO THEIR COMPANIES.



1 EACH YEAR THE PROGRAM HAS GROWN, AND
2 THIS YEAR WE HAVE 18 BUSINESSES THAT HAVE BEEN
3 AWARDED WRAP AWARDS FIVE YEARS IN A ROW. TODAY WE
4 HAVE FOUR LOCAL COMPANIES FROM HERE IN CONTRA
5 COSTA COUNTY THAT ARE WRAP WINNERS. AND I'D LIKE
6 TO COME DOWN TO THE PODIUM AND ASK THOSE WHO HAVE
7 REPRESENTATIVES HERE TO COME FORWARD AND ON BEHALF
8 OF THE BOARD, I'D LIKE TO PRESENT CERTIFICATES.
9 I'M NOT SURE IF ALL FOUR OF THEM ARE
10 HERE. I HAVE NOTIFICATION THAT TWO OF THEM ARE
11 HERE. I'LL ASK FOR THE OTHERS AFTER THE TWO I
12 KNOW ARE HERE AND SEE IF SOMEBODY HAS COME IN THAT
13 WE WEREN'T AWARE OF. AND THEN AFTERWARDS, AS THE
14 CHAIRMAN INDICATED, WE'LL TAKE A BRIEF BREAK AND
15 GET SOME PHOTOGRAPHS.
16 FIRST OF ALL, I WANTED TO ASK BETH
17 REAL - - AM I PRONOUNCING THAT RIGHT? HERE'S THE
18 NEXT CHALLENGE. CARELLO ENGINEERS. COROLLO. I
19 GOT THE FIRST ONE RIGHT.
20 COROLLO ENGINEERS IS A CONSULTING
21 ENGINEERING FIRM WITH OFFICES THROUGHOUT THE
22 WESTERN UNITED STATES; HOWEVER, THE APPLICATION
23 FOR THE WRAP AWARD WAS FOR THE WALNUT CREEK SITE
24 ONLY. IT'S SPECIFICALLY AWARDED FOR THIS SITE.
25 THEY REUSE AND RECYCLE MANY MATERIALS GENERATED IN



1 THEIR OFFICE AND HAVE REDUCED THE AMOUNT OF
2 GARBAGE THEY SEND TO THE LANDFILL BY 80 PERCENT.
3 COROLLO HAS ALSO DONATED SUPPLIES
4 AND FURNITURE TO AREA SCHOOLS AND CHARITABLE
5 ORGANIZATIONS, AND THEY HAVE SAVED APPROXIMATELY
6 \$35,000 ANNUALLY BY REDUCING THE USE OF PAPER AND
7 OTHER MATERIALS IN THE BUSINESS.
8 I'D LIKE TO, ON BEHALF OF THE BOARD,
9 PRESENT YOU WITH THIS AWARD.
10 (APPLAUSE.)

11 BOARD MEMBER CHESBRO: I DID OFFER HER
12 THE CHANCE TO ADDRESS THE BOARD.
13 I'LL ASK ANY OF THE BUSINESSES WHO
14 WOULD LIKE TO, THEY'RE WELCOME TO COME FORWARD AND
15 ALSO SAY A FEW WORDS ABOUT WHAT YOU DO.
16 THE SECOND BUSINESS I WANTED TO
17 PRESENT, AND I'D LIKE TO ADD, UNFORTUNATELY, I
18 CAN'T PRONOUNCE YOUR LAST NAME. SHEILA, WHAT'S
19 YOUR LAST NAME?

20 MS. LOPIPERO: LOPIPERO.

21 BOARD MEMBER CHESBRO: LOPIPERO. SHEILA
22 LOPIPERO, WILL YOU COME FORWARD ON BEHALF OF
23 CREATIVE OFFICE SYSTEMS.
24 CREATIVE OFFICE SYSTEMS IS A FULL
25 SERVICE FURNITURE DEALERSHIP SPECIALIZING IN



1 REMANUFACTURED, RECYCLED OFFICE SYSTEMS FURNITURE.
2 THEY RECYCLE THOUSANDS OF POUNDS OF FURNITURE AND
3 HAVE DONATED 70 PIECES TO LOCAL NONPROFIT
4 ORGANIZATIONS AND SCHOOLS. SHEILA, THANK YOU.
5 (APPLAUSE.)

6 BOARD MEMBER CHESBRO: WE HAVE SHY
7 BUSINESSES THIS MORNING. HOPEFULLY OUR
8 DESCRIPTIONS HAVE ADEQUATELY INDICATED THE EFFORTS
9 THAT THESE BUSINESSES HAVE MADE.
10 WE ALSO HAVE AWARDS THIS MORNING FOR
11 CHEVRON REAL ESTATE MANAGEMENT COMPANY. WE HAVE A
12 REPRESENTATIVE. GREAT. THANK YOU FOR COMING.
13 LET ME GIVE A LITTLE DESCRIPTION
14 HERE. ARE YOU HARRY COLLIER? WE HAVE HARRY
15 COLLIER HERE WITH US THIS MORNING TO RECEIVE THE
16 AWARD.
17 CHEVRON RICHMOND TECHNOLOGY CENTER
18 PROVIDES PETROLEUM RESEARCH FOR CHEVRON
19 CORPORATION'S DOWNSTREAM COMPANIES. IN 1996 THEY
20 RECYCLED MORE THAN 70 TONS OF NONHAZARDOUS
21 MATERIAL, INCLUDING 34 TONS OF CARDBOARD, 30 TONS
22 OF PAPER, 7 TONS OF GLASS, 600 POUNDS OF ALUMINUM
23 CANS, AND 160 CUBIC YARDS OF WOOD AND METAL. THE
24 CENTER HAS REDUCED THE AMOUNT OF LANDFILL BOUND
25 MATERIAL BY 60 PERCENT OVER THE PREVIOUS YEAR.



1 (APPLAUSE.)

2 BOARD MEMBER CHESBRO: THEY'RE ALL SHY

3 THIS MORNING.

4 AND FINALLY, IS THERE A

5 REPRESENTATIVE OF LASER PRINTER PRODUCTS? BERNIE.

6 YOU'RE NOT JOANIE. OKAY. WE'VE GOT BERNIE

7 DROUILLARD IS WITH US THIS MORNING.

8 AND LASER PRINTER PRODUCTS RECYCLES

9 AND REMANUFACTURES SPENT TONER CARTRIDGES,

10 DIVERTING 2 TONS OF WASTE FROM LANDFILLS ANNUALLY.

11 THEY REDUCE PACKAGING WASTE BY REUSING BOXES,

12 INSERTS, AND FOIL BAGS WHENEVER POSSIBLE. THIS

13 HAS SAVED AN ADDITIONAL TON OF PACKAGING WASTE.

14 LASER PRINTER PRODUCTS OFFERS COMPLETELY

15 REMANUFACTURED TONER CARTRIDGES FOR HALF THE COST

16 OF NEW ONES.

17 (APPLAUSE.)

18 MR. DROUILLARD: FIRST, I'D LIKE TO THANK

19 THE BOARD FOR HAVING THE WRAP PROGRAM. IT'S

20 REALLY OPENED UP THE DOORS FOR US BECAUSE WITH THE

21 CALMAX MAGAZINE, WE'VE BEEN GETTING A LOT OF

22 CARTRIDGES TO BE RECYCLED FROM GOVERNMENT AGENCIES

23 AS WELL AS FROM INDIVIDUALS CALLING FROM ALL OVER

24 THE STATE. THEY SHIP THEM TO US AND WE'LL RECYCLE

25 THEM FOR THEM, INCLUDING THE CONCORD NAVAL WEAPON



1 STATION. THEY SEND A LOT OF EMPTY CARTRIDGES FOR
2 US TO RECYCLE.
3 WE DO FOR A LOT OF LOCAL SCHOOLS AND
4 COLLEGES AS WELL AS BUSINESSES. AND WE
5 ACTUALLY - - OUR ESTIMATE WAS ACTUALLY LOW. 2500
6 OR ACTUALLY 2 TONS WORTH OF TONER CARTRIDGES WITH
7 BY-PRODUCTS ACTUALLY AMOUNT TO CLOSE TO 10 TONS A
8 YEAR. THE CARDBOARD THAT WE RECYCLE, WE SEND TO A
9 RECYCLER, AS WELL AS THE ALUMINUM PARTS INSIDE THE
10 CARTRIDGE THAT WE CANNOT USE A SECOND TIME OVER,
11 WE RECYCLE THE ALUMINUM. AND ALSO ALL OF OUR
12 PAPER THAT WE USE IN TESTING THE CARTRIDGES ALSO
13 GETS RECYCLED. SO THERE'S BEEN A TREMENDOUS
14 AMOUNT MORE THAN JUST THE CARTRIDGES THEMSELVES,
15 BUT WE DO APPRECIATE THE PROGRAM. REALLY GIVES US
16 AN INCENTIVE TO DO IT, INCLUDING ALL THE OFFICE
17 PRODUCTS WE HAVE AS WELL. THANK YOU.

18 BOARD MEMBER CHESBRO: CONGRATULATE ALL
19 FOUR OF THE CONTRA COSTA COUNTY WRAP WINNERS AND
20 GIVE THEM ONE MORE ROUND OF APPLAUSE.
21 (APPLAUSE.)

22 CHAIRMAN PENNINGTON: THANK YOU, MR.
23 CHESBRO. NOW, MR. FRITH, YOU WANT TO TELL US -
24 DO YOU WANT TO TELL US WHERE YOU WANT US?

25 MR. FRITH: HOW ABOUT OUTSIDE.



1 CHAIRMAN PENNINGTON: ALL YOU WRAP
2 WINNERS, WILL YOU GO OUTSIDE WITH US WHILE WE TAKE
3 A PICTURE.

4 (RECESS TAKEN.)

5 CHAIRMAN PENNINGTON: CAN WE COME BACK TO
6 ORDER NOW, PLEASE. I THINK WE'RE NOW READY FOR
7 ITEM NO. 3, WHICH IS THE REPORT OF THE EXECUTIVE
8 DIRECTOR, MR. RALPH CHANDLER.

9 MR. CHANDLER: THANK YOU, MR. CHAIRMAN,
10 AND GOOD MORNING, MEMBERS. SEEMS LIKE A NUMBER OF
11 EVENTS HAVE OCCURRED SINCE YOU LAST MET. I'D LIKE
12 TO TAKE A FEW MINUTES THIS MORNING TO BRING YOU UP
13 TO DATE ON SEVERAL OF THE MORE IMPORTANT ISSUES.
14 FIRST AND FOREMOST, THE GOVERNOR DID
15 SIGN THE BUDGET ACT OF 1997 ON AUGUST 18TH. AND
16 SOME HIGHLIGHTS FROM THE BUDGET THAT AFFECT OUR
17 PROGRAM AREA ARE AS FOLLOWS. FIRST LIKE TO SPEAK
18 TO THE USED OIL RECYCLING FUND ADMINISTRATIVE CAP.
19 AS IN PAST YEARS, THIS BUDGET ACT AUTHORIZES
20 APPROPRIATIONS FROM THE USED OIL RECYCLING FUND
21 FOR ADMINISTRATIVE COSTS IN EXCESS OF THE
22 STATUTORY CEILING OF THREE MILLION PER YEAR.
23 IN THE AREA OF PRUDENT RESERVE, THE
24 BUDGET ALSO AUTHORIZES USE OF THE USED OIL
25 RECYCLING FUND AS WELL AS THE TIRE MANAGEMENT FUND



1 TO SUPPLANT UP TO HALF A MILLION DOLLARS IN
2 ADMINISTRATIVE COSTS PREVIOUSLY BORNE BY THE
3 INTEGRATED WASTE MANAGEMENT ACCOUNT. THIS
4 AUTHORIZATION WILL INCREASE THE RESERVES IN THE
5 IWMA BY UP TO \$500,000.
6 THIRDLY, IN THE AREA OF THE 2136
7 SITE CLEANUP PROGRAM, THE BUDGET TRANSFERS 2.2
8 MILLION FROM THE IWMA TO THE SITE CLEANUP TRUST
9 FUND. THIS AMOUNT IS LESS THAN A FIVE MILLION
10 TRANSFER AUTHORIZED IN LAW. THE CARRY-OVER
11 BALANCES IN THE TRUST FUND ALLOWED US TO MOVE LESS
12 MONEY INTO THE TRUST FUND THIS YEAR, WHILE STILL
13 MAINTAINING THE SITE CLEANUP PROGRAM AT HISTORIC
14 LEVELS OF ACTIVITY. AGAIN, THIS REDUCTION WAS
15 NEEDED TO HELP BALANCE IWMA REVENUES.
16 IN THE AREA OF HOUSEHOLD HAZARDOUS
17 WASTE GRANTS, THE BUDGET PROVIDES FOR 1.5 MILLION
18 IN HOUSEHOLD HAZARDOUS WASTE GRANTS. THIS IS A
19 REDUCTION FROM HISTORIC LEVELS OF THREE MILLION
20 PER YEAR, AGAIN TO HELP BALANCE DECLINING IWMA
21 REVENUES.
22 NEXT IN THE AREA OF CONSTRUCTION OR
23 DEMOLITION FACILITY AND OPERATION REGULATIONS,
24 THROUGH BUDGET CONTROL LANGUAGE, THE BUDGET
25 REMOVED, BUT WILL REAPPROPRIATE \$250,000 TO THE



1 BOARD, AND RESTORATION IS CONDITIONED BY THE BOARD
2 PROVIDING THE CHAIRS OF THE JOINT LEGISLATIVE
3 BUDGET COMMITTEE AND THE FISCAL COMMITTEES WITH A
4 STATUS REPORT ON ADOPTION OF TIERED REGULATIONS
5 AND PROPOSED REGULATIONS FOR CONSTRUCTION OR
6 DEMOLITION FACILITY AND OPERATIONS BY APRIL 1ST OF
7 1998. THIS IS CONSISTENT WITH OUR CURRENT
8 RULEMAKING SCHEDULE.
9 LASTLY, PRIORITY FOR ANY MIDYEAR
10 ADJUSTMENTS, THROUGH THE BUDGET CONTROL LANGUAGE,
11 THE BUDGET DIRECTED THE BOARD - - IF IT IS
12 NECESSARY TO MAKE MIDYEAR REDUCTIONS, THAT THOSE
13 REDUCTIONS COME FROM OTHER THAN THE PERMITTING,
14 ENFORCEMENT, SITE CLOSURE, AND REMEDIATION
15 PROGRAMS. HOWEVER, THE GOVERNOR VETOED THIS
16 PROVISION AS UNNECESSARILY RESTRICTIVE, CITING IN
17 HIS VETO MESSAGE THAT THE BOARD SHOULD HAVE
18 GREATER FLEXIBILITY TO DETERMINE THE MEANS OF
19 DEALING WITH ANY REVENUE SHORTFALLS IN THE IWMA.
20 THE NEXT AREA I'D LIKE TO UPDATE THE
21 BOARD ON IS OUR TIRE CLEANUP EFFORTS AT THE OXFORD
22 TIRE PILE NEAR WESTLEY. SINCE THE BOARD AND
23 UNITED AMERICAN ENERGY SIGNED THE TIRE REMEDIATION
24 AGREEMENT ON JUNE 27TH, WE ESTIMATE THAT MODESTO
25 ENERGY LIMITED PARTNERSHIP HAS CONSUMED



1 APPROXIMATELY 7200 TONS OF TIRES, OR TRANSLATING
2 INTO 720,000 PASSENGER TIRE EQUIVALENTS.
3 AS BOARD MEMBERS KNOW, THE
4 NEGOTIATIONS BETWEEN US AND THE TWO COMPANIES
5 INVOLVED, UNITED AMERICAN ENERGY, WHICH OPERATES
6 THE ENERGY PLANT, AND OXFORD TIRE RECYCLING, WERE
7 LONG AND EXTENSIVE. ULTIMATELY, HOWEVER, I
8 BELIEVE WE TRULY DID REACH AN AGREEMENT WHICH
9 BENEFITS BOTH COMPANIES, POTENTIALLY MILLIONS OF
10 CALIFORNIANS WHO COULD HAVE BEEN AFFECTED BY A
11 MAJOR FIRE AT OXFORD, AND, OF COURSE, THE
12 TAXPAYERS.
13 UNDER THE AGREEMENT, MELP WILL BURN
14 FOUR MILLION OF THE ESTIMATED SIX MILLION
15 PASSENGER TIRE EQUIVALENTS AT THE SITE. SINCE MAY
16 OF THIS YEAR, ONE AND A HALF MILLION TIRES HAVE
17 ALREADY BEEN BURNED, AND OXFORD WILL CLEAN UP THE
18 REMAINING TIRES, WHICH ARE OVERSIZE TIRES NOT
19 SUITABLE FOR MELP'S CONVEYOR SYSTEM.
20 I'D JUST LIKE TO FOCUS ON THIS 1.5
21 MILLION TIRES ALREADY CONSUMED SINCE MAY. TO PUT
22 THIS IN PERSPECTIVE, THAT'S A SEVENFOLD INCREASE
23 IN JUST THESE LAST FOUR MONTHS OVER WHAT OXFORD
24 WAS ABLE TO CONSUME FOR THE ENTIRE FISCAL YEAR OR
25 12-MONTH PERIOD PRIOR TO APRIL.



1 SO WHEN THIS BOARD IN SAN BERNARDINO
2 ISSUED ITS ORDER TO CEASE TAKING TIRES AT THE
3 SITE, COUPLED WITH THE AGREEMENT I JUST
4 REFERENCED, WE'VE SEEN A SEVENFOLD INCREASE IN THE
5 NUMBER OF TIRES CONSUMED. SO I THINK WE'RE WELL
6 ON OUR WAY.
7 FROM THE TIRE FUND'S PRUDENT
8 RESERVE, AS YOU KNOW, WE AGREED TO PAY 1.7 TO MELP
9 TO HELP THE COMPANY THROUGH THE UNCERTAINTY
10 SURROUNDING THE STATE'S DEREGULATION OF THE ENERGY
11 INDUSTRY. HOWEVER, AS PART OF OUR NEGOTIATIONS
12 WITH OXFORD, 640,000 IN THEIR CLOSURE FUND IS
13 GOING TOWARDS THESE PAYMENTS, WHICH BRINGS THE NET
14 COST TO THE BOARD DOWN TO JUST UNDER 1.1 MILLION.
15 OXFORD HAS ALSO AGREED TO COMPLETE THE CLEANUP TO
16 THE BOARD'S SATISFACTION WITHIN 14 MONTHS AFTER
17 MELP HAS FULFILLED ITS PART OF THE AGREEMENT.
18 OXFORD HAS ALSO RESTRUCTURED ITS
19 CLOSURE FUND TO ENSURE THAT FUNDS TO COMPLETE
20 CLEANUP ARE AVAILABLE. THE BOTTOM LINE IS THAT
21 THIS LONG-STANDING PROBLEM SHOULD BE COMPLETELY
22 CLEANED UP WITHIN TWO YEARS AT A TOTAL COST TO THE
23 TAXPAYERS OF 18 CENTS PER TIRE.
24 I'D LIKE TO THANK EVERYONE WHO
25 PARTICIPATED IN THESE NEGOTIATIONS, ESPECIALLY ED



1 TIMEO OF MELP, MARK KIRKLAND OF OXFORD, AS WELL AS
2 CURT RAMY OF PPMG, DOUG BLODELL, OUR OUTSIDE BOND
3 COUNSEL, KATHRYN TOBIAS AND OUR LEGAL STAFF. AND.
4 OF COURSE, DOROTHY RICE AND PERMITTING AND
5 ENFORCEMENT DIVISION FOR THEIR OUTSTANDING WORK.
6 OF COURSE, YOU BOARD MEMBERS FOR YOUR SUPPORT AND
7 DELIBERATION ON THESE NEGOTIATIONS.
8 AS MR. JONES REFERENCED EARLIER, I
9 WANT TO SPEAK A LITTLE BIT ABOUT ENERGY
10 DEREGULATION AND REPORT BACK FROM A REQUEST MADE
11 BY THE POLICY, RESEARCH, AND TECHNICAL ASSISTANCE
12 COMMITTEE AT ITS AUGUST 5TH MEETING. AT THAT TIME
13 THE COMMITTEE ASKED STAFF TO INVESTIGATE OPTIONS
14 ON PARTICIPATING IN THE CALIFORNIA PUBLIC UTILITY
15 COMMISSION'S PROCEEDINGS ON CONTRACT RESTRUCTURING
16 FOR QUALIFYING FACILITIES OF THE CONCERN WE ALL
17 SHARE ABOUT THE IMPACT THAT DEREGULATION WILL HAVE
18 ON FACILITIES THAT USE WASTE MATERIALS AS FUEL.
19 STAFF HAS CONTACTED THE PUC STAFF
20 AND THE ADMINISTRATIVE LAW JUDGE HANDLING THE
21 PROCEEDINGS AND HAVE THE FOLLOWING INFORMATION TO
22 OFFER: STAFF EXPECTS THERE WILL BE AN OPPORTUNITY
23 TO PROVIDE COMMENTS FOLLOWING THE ISSUANCE OF A
24 DECISION BY THE COMMISSION. THE CHIEF AU
25 INDICATED THAT A DECISION SHOULD BE PREPARED



1 WITHIN 30 TO 45 DAYS, AND THAT THERE PROBABLY
2 WOULD NOT BE AN OPPORTUNITY TO COMMENT BEFORE THE
3 DECISION.
4 IF THE DECISION IS A PROPOSED
5 DECISION INSTEAD OF A FINAL ORDER, THERE WILL BE A
6 COMMENT PERIOD BEFORE THE PUC FORMALLY ADOPTS IT.
7 COMMISSION STAFF - - THE PUC WILL ISSUE A PROPOSED
8 DECISION.
9 IF THE DECISION IS TO CONDUCT FORMAL
10 HEARINGS AND/OR MORE WORKSHOPS IN THE CURRENT
11 RULEMAKING PROCEEDING OR TO BEING A NEW RULEMAKING
12 PROCEEDING, STAFF BELIEVE THERE WILL BE PLENTY OF
13 OPPORTUNITIES FOR THE BOARD TO FORWARD ITS
14 POSITION.
15 NEXT I WOULD LIKE UPDATE YOU ON
16 STAFF'S ONGOING EFFORTS TO IMPLEMENT THE STRATEGIC
17 PLAN. MR. RELIS SPOKE EARLIER IN SOME OF HIS
18 REMARKS THAT WE'RE CURRENTLY IN THAT STAGE OF
19 FOCUSING OUR EFFORTS AND RESOURCES. AS YOU KNOW,
20 I HAVE ASKED ALL OF THE DEPUTIES AND ASSISTANT
21 DIRECTORS TO UNDERTAKE A TOP TO BOTTOM REVIEW OF
22 THEIR PROGRAMS AS PART OF THE GOAL ONE MANDATE.
23 ALTHOUGH THIS EXERCISE IS COMING ALONG WELL, IT'S
24 APPARENT TO ME THAT WE HAVE ANOTHER LEVEL OF
25 ANALYSIS TO DO BEFORE WE CAN MAKE FINAL



1 RECOMMENDATIONS TO THE BOARD ON ALL OUR PROGRAMS.
2 IF NOTHING ELSE, THIS EXERCISE HAS
3 REALLY DRIVEN HOME TO ME THE INCREDIBLE AMOUNT OF
4 WORK THE BOARD AND STAFF ARE DOING TO HELP
5 JURISDICTIONS MEET THE 50-PERCENT MANDATE AND
6 ENSURE ENVIRONMENTALLY SOUND DISPOSAL.
7 GIVEN THE SHORT AMOUNT OF TIME WE
8 HAVE LEFT BEFORE THE NEXT BOARD MEETING, AND OUR
9 DESIRE TO DO THE BEST JOB POSSIBLE, I'M PROPOSING
10 TO STRUCTURE THE SEPTEMBER AGENDA ITEM AS A
11 DESCRIPTION OF OUR CURRENT STATE. I'M PLANNING TO
12 PRESENT TO YOU NEXT MONTH A SUMMARY CHART OR
13 MATRIX THAT WILL SHOW ALL THE PROGRAMS THAT
14 SUPPORT GOAL ONE AND ALL THE PROGRAMS THAT SUPPORT
15 GOAL TWO, ETC.
16 THE MATRIX WOULD HAVE THE GOAL, THE
17 PROGRAM NAMES LISTED UNDER IT, THE NUMBER OF
18 PERSONNEL YEARS OR PY'S CURRENTLY ALLOCATED TO
19 EACH PROGRAM, AND THE PRELIMINARY RECOMMENDATION,
20 INCLUDING THE NET CHANGE IN PY'S FOR EACH PROGRAM
21 THAT WOULD RESULT FROM THE RECOMMENDATION.
22 ONE OF THE PURPOSES OF THE MATRIX IS
23 TO DEMONSTRATE WHERE OUR RESOURCES ARE CURRENTLY
24 ALIGNED RELATIVE TO THE FOUR STRATEGIC PLAN GOALS.
25 OUR PLAN IS TO COME BACK TO YOU WITH A SET OF



1 RECOMMENDATIONS TO REALIGN RESOURCES WHERE
2 NECESSARY TO MORE DIRECTLY AND EFFECTIVELY SUPPORT
3 THE GOALS AND POTENTIALLY RECOMMEND REFINEMENTS TO
4 THE PLAN ITSELF, SUCH AS CLARIFICATION OF
5 STRATEGIES, MEASURES, OBJECTIVES, ETC. MY HOPE IS
6 THAT WE'LL BE ABLE TO DO THAT IN OCTOBER AND
7 NOVEMBER.

8 FINALLY, MR. CHAIRMAN, MAYBE JUST TO
9 PUNCTUATE OR UNDERScore MR. CHESBRO'S RECOGNITION
10 OF OUR AWARD FROM THE NORTHERN CALIFORNIA TURF AND
11 LANDSCAPE COUNCIL RECENTLY HONORING THE BOARD, I'D
12 LIKE TO JUST SIMPLY PROVIDE YOU AT THIS TIME WITH
13 A NICE PLAQUE THAT WAS PROVIDED, I BELIEVE, TO MR.
14 JONES AT THE BANQUET. AND THIS WILL GO, AGAIN, IN
15 OUR DISPLAY CASE LOCATED IN THE BOARDROOM. AND
16 CONCLUDE MY REMARKS ON THIS NOTE. THANK YOU.

17 CHAIRMAN PENNINGTON: THANK YOU, MR.
18 CHANDLER. I WOULD LIKE TO ACKNOWLEDGE YOUR FINE
19 EFFORTS IN THE OXFORD-MELP SITUATION. YOU DID AN
20 EXCELLENT JOB OF RELATING THE BOARD'S VIEWS AND
21 OPINIONS AND OUR STAND ON IT. AND I THINK THAT
22 THROUGH STANDING TALL WE WERE ABLE TO ACCOMPLISH
23 WHAT WE WANTED. I THINK EVERYBODY ON THE BOARD
24 SHOULD BE PROUD OF WHERE WE GOT ON THAT PARTICULAR
25 ISSUE. AND HOPEFULLY WE CAN DO.



1 I ALSO WANT TO THANK MR. JONES, WHO
2 SPENT A LOT OF TIME WITH ME WORKING WITH MR.
3 CHANDLER AND OTHER BOARD MEMBERS, IN COMING TO A
4 HEAD ON THAT PARTICULAR ISSUE. SO THANK YOU, MR.
5 CHANDLER.

6 NEXT WE'LL MOVE TO CONSENT ITEMS.
7 DOES ANY MEMBER HAVE ANYTHING THEY WISH TO PULL
8 OFF THE CONSENT CALENDAR? THE CONSENT INCLUDES
9 ITEMS 5 THROUGH 10, 12 THROUGH 31, 33 THROUGH 36,
10 AND 40 THROUGH 42. ANY MEMBER THAT WANTS TO PULL
11 ANYTHING FROM THAT? IF NOT, I'LL ENTERTAIN A
12 MOTION.

13 BOARD MEMBER FRAZEE: MOVE ADOPTION OF
14 THE CONSENT CALENDAR.

15 BOARD MEMBER CHESBRO: SECOND.

16 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
17 SECONDED. IF THERE'S NO FURTHER DISCUSSION, WILL
18 THE SECRETARY CALL THE ROLL.

19 BOARD SECRETARY: BOARD MEMBER CHESBRO.

20 BOARD MEMBER CHESBRO: AYE.

21 BOARD SECRETARY: FRAZEE.

22 BOARD MEMBER FRAZEE: AYE.

23 BOARD SECRETARY: GOTCH.

24 BOARD MEMBER GOTCH: AYE.

25 BOARD SECRETARY: JONES.



1 BOARD MEMBER JONES: AYE.
2 BOARD SECRETARY: RELIS.
3 BOARD MEMBER RELIS: AYE.
4 BOARD SECRETARY: CHAIRMAN PENNINGTON.
5 CHAIRMAN PENNINGTON: AYE. MOTION
6 CARRIES.
7 ITEM NO. 11(A), CONSIDERATION OF
8 STATE LEGISLATION, SB 1196, DANIEL MCCARROLL,
9 PLEASE.
10 MR. MC CARROLL: GOOD MORNING, BOARD
11 MEMBERS, CHAIRMAN. HAVE BEFORE YOU TODAY ONE
12 BILL, SB 1196. I'D LIKE TO TAKE A MOMENT TO SPEND
13 WITH YOU DISCUSSING A COUPLE OF THE OTHER ITEMS
14 THAT ARE IN THE PACKET, INFORMATIONAL ITEMS FOR
15 YOUR REVIEW.
16 ON -- THIS IS ITEM 11, ATTACHMENT 4
17 OR PAGE 92, COST IMPACTS OF PROPOSED LEGISLATION.
18 THIS IS THE MATERIAL WE'VE BEEN PROVIDING YOU THE
19 LAST COUPLE OF MONTHS, SUMMARIZING SOME OF THE
20 COST IMPLICATIONS FROM SOME OF THE CURRENT
21 LEGISLATION. NOT ALL THIS LEGISLATION WILL BE
22 PASSED, OF COURSE, OR NECESSARILY SIGNED.
23 SECOND ITEM FOR YOUR INFORMATION ON
24 PAGE 94 THROUGH 101 OF THE PACKAGE IS THE STATUS
25 OF LEGISLATION ON SOLID WASTE MATTERS. THIS IS



1 ATTACHMENT 5(A) AND 5(B). AGAIN, THIS IS
2 INFORMATIONAL MATERIAL FOR YOUR REVIEW.
3 INFORMATIONAL ITEM AS WELL, THE
4 LEGISLATURE, AS YOU PROBABLY KNOW, RECONVENED ON
5 MONDAY. THEY ARE SCHEDULED TO ADJOURN FOR THE
6 TERM INTERIM RECESS ON SEPTEMBER 11TH, FRIDAY TWO
7 WEEKS AWAY FROM HERE.
8 THE GOVERNOR WILL THEN HAVE
9 APPROXIMATELY A MONTH TO ACT - - THROUGH OCTOBER
10 12TH TO ACT ON LEGISLATION TO HIM. BILLS BECOME
11 EFFECTIVE JANUARY 1ST AS NEW LAW UNLESS IT'S AN
12 URGENCY MATTER AND IT WILL BECOME EFFECTIVE UPON
13 SIGNATURE.
14 THAT'S INFORMATIONAL MATERIAL FOR
15 YOUR REVIEW AND CONSIDERATION.
16 IN TERMS OF THE ONE BILL IN FRONT OF
17 YOU, SENATE BILL 1196, IN MS. GOTCH'S OPENING
18 REMARKS, COMMITTEE REPORT, SHE SUMMARIZED THE BILL
19 QUITE ACCURATELY. THIS IS A BILL THAT WOULD
20 EXEMPT ALPINE COUNTY FROM THE REQUIREMENT TO
21 PREPARE A COUNTYWIDE SITING ELEMENT AND SUMMARY
22 PLAN TO THE YEAR JANUARY 2001.
23 THERE ARE FOUR CONDITIONS MET. ONE
24 IS THAT THE COUNTY DOESN'T HAVE ANY INCORPORATED
25 CITY WITHIN ITS BOUNDARIES, IT MEETS OR EXCEEDS



1 THE 25 AND 50 WASTE DIVERSION REQUIREMENTS,
2 GENERATES LESS THAN 20 TONS OF WASTE DAILY, AND
3 EXPORTS ALL WASTE OUT OF THE COUNTY. THIS BILL
4 HAS NO FISCAL IMPACT TO THE BOARD. IT IS NOW ON
5 THE ASSEMBLY FLOOR AWAITING FURTHER ACTION.
6 IT COMES TO YOU WITH A
7 RECOMMENDATION FROM THE COMMITTEE OF A BOARD
8 OPPOSED POSITION ON A THREE ZERO VOTE. AND THIS
9 IS - - THIS BILL HAS NOT BEEN BEFORE THE BOARD
10 BEFORE, AS I RECALL, BECAUSE THERE HAS BEEN
11 ONGOING NEGOTIATIONS BETWEEN STAFF AND SENATOR
12 LESLIE AND THE SPONSORS, ALPINE COUNTY, REGARDING
13 THE PETITION THAT YOU HAVE JUST APPROVED IN THE
14 CONSENT ITEM, WHICH IS AGENDA ITEM 26. YOU JUST
15 APPROVED THE PETITION. THOSE TWO ITEMS ARE
16 LINKED, AS MR. CHESBRO MENTIONED IN HIS COMMITTEE
17 REMARKS. THAT CONCLUDES MY OBSERVATIONS.

18 BOARD MEMBER GOTCH: MR. CHAIR, THERE'S
19 NO NEED FOR THIS LEGISLATION. THE BOARD HAD
20 ALREADY GRANTED ALPINE COUNTY'S PETITION FOR
21 REDUCTION TO 14 PERCENT FOR '95 AND 25 PERCENT FOR
22 THE YEAR 2000. AND THIS MONTH'S PLANNING
23 COMMITTEE VOTED THREE OH TO SUPPORT THEIR PETITION
24 TO REDUCE THE REQUIREMENTS FOR THEIR SITING
25 ELEMENT AND SUMMARY PLAN.



1 HERE'S THE RUB. IF THIS BILL
2 PASSES, IT LOOKS LIKE IT NULLIFIES THE REDUCTION
3 IN DIVERSION REQUIREMENTS FROM WHAT THE BOARD HAD
4 EARLIER GRANTED. THE AUTHOR'S STAFF HAD ALREADY
5 AGREED IN EARLIER LEGISLATION COMMITTEE MEETING
6 THAT ALL OF THEIR CONCERNS COULD BE WORKED OUT
7 WITHOUT THE LEGISLATION.

8 SO I'M MOVING THAT WE OPPOSE THIS
9 BILL.

10 BOARD MEMBER CHESBRO: SECOND.

11 CHAIRMAN PENNINGTON: OKAY. IT'S BEEN
12 MOVED AND SECONDED. ANY FURTHER DISCUSSION? IF
13 NOT, WILL THE SECRETARY CALL THE ROLL.

14 BOARD SECRETARY:BOARD MEMBER CHESBRO.

15 BOARD MEMBER CHESBRO: AYE.

16 BOARD SECRETARY:FRAZEE.

17 BOARD MEMBER FRAZEE: AYE.

18 BOARD SECRETARY:GOTCH.

19 BOARD MEMBER GOTCH: AYE.

20 BOARD SECRETARY:JONES.

21 BOARD MEMBER JONES: AYE.

22 BOARD SECRETARY:RELIS.

23 BOARD MEMBER RELIS: AYE.

24 BOARD SECRETARY:CHAIRMAN PENNINGTON.

25 CHAIRMAN PENNINGTON: AYE. MOTION



1 CARRIES.

2 MOVE TO ITEM 32, CONSIDERATION OF

3 APPROVAL OF LOCAL ASSISTANCE PLAN. MS. FRIEDMAN.

4 BOARD MEMBER CHESBRO: MR. CHAIRMAN, I

5 DID COME UP WITH SOME COPIES OF THOSE LETTERS THAT

6 I ENTERED INTO THE RECORD. BUT APPARENTLY THERE

7 WAS ONE OF THEM I'M INFORMED BY THE BOARD STAFF

8 THAT I DID NOT ENTER, WHICH IS SIGNED BY MAYOR

9 MELLO, THE CITY OF FORT BRAGG. YOU SHOULD HAVE

10 COPIES OF THAT AND THE OTHER LETTERS THAT I

11 MENTIONED. I'LL ENTER INTO THE RECORD.

12 CHAIRMAN PENNINGTON: FINE. THEY'LL BE

13 ENTERED INTO THE RECORD. THANK YOU.

14 MS. FRIEDMAN: YES, GOOD MORNING,

15 CHAIRMAN PENNINGTON AND BOARD MEMBERS. IN MARCH

16 THE LOCAL ASSISTANCE AND PLANNING COMMITTEE

17 DIRECTED STAFF TO PREPARE A DRAFT LOCAL ASSISTANCE

18 PLAN AND PRESENT IT TO THE COMMITTEE. THIS PLAN

19 WAS TO IDENTIFY LOCAL ASSISTANCE WHICH COULD BE

20 PROVIDED TO JURISDICTIONS OF THE NEEDS OF THE

21 BOARD REGARDING PROGRAM PLANNING IMPLEMENTATION

22 AND ENFORCEMENT AND THE CRITERIA THE BOARD COULD

23 USE OVER THE NEXT TWO TO THREE YEARS TO PRIORITIZE

24 REQUESTS AND TO ASSIST LOCAL GOVERNMENTS TO MEET

25 THEIR DISPOSAL REDUCTION REQUIREMENTS.



1 AT ITS MAY MEETING, THE COMMITTEE
2 DIRECTED STAFF TO RELEASE THE DRAFT PLAN TO
3 JURISDICTIONS, INTEREST GROUPS, AND INTERESTED
4 INDIVIDUALS FOR REVIEW AND COMMENT. THE COMMITTEE
5 HEARD THE REVISED DRAFT THIS MONTH AND APPROVED
6 THE PLAN AND FORWARDED IT TO THE BOARD FOR
7 CONSIDERATION.

8 WITH THAT, I'LL TURN THE
9 PRESENTATION OVER TO LORRAINE VAN KEKERIX WITH THE
10 OFFICE OF LOCAL ASSISTANCE.

11 MS. VAN KEKERIX: GOOD MORNING, BOARD
12 MEMBERS. I'M HERE TODAY TO GIVE YOU SOME BRIEF
13 BACKGROUND ON THE LOCAL ASSISTANCE PLAN AND THE
14 KINDS OF COMMENTS THAT WE GOT FROM THE PARTIES WHO
15 ARE REVIEWING IT.

16 FIRST OF ALL, IN KEEPING WITH
17 RALPH'S COMMENTS ON THE STRATEGIC PLAN, THE LOCAL
18 ASSISTANCE PLAN WAS PUT TOGETHER AT COMMITTEE
19 DIRECTION TO SUPPORT THE STRATEGIC PLAN GOAL TO
20 SUPPORT LOCAL JURISDICTIONS' ABILITY TO REACH AND
21 MAINTAIN THE WASTE DIVERSION MANDATES.

22 IN 1996 OUR ESTIMATES SHOW THAT WE
23 HAVE ACHIEVED A 30-PERCENT DIVERSION RATE
24 STATEWIDE. MANY OF THE COMMUNITIES WITHIN
25 CALIFORNIA NOT ONLY ACHIEVED THEIR 1995 DISPOSAL



1 GOAL OF 25 PERCENT, BUT OTHERS FELL BELOW THAT
2 MARK. THE COMMUNITIES THROUGHOUT THE STATE ARE
3 VERY, VERY VARIED. BOTH IN TERMS OF GEOGRAPHY, IN
4 TERMS OF THE NUMBER AND TYPE OF STAFF THEY HAVE,
5 AND FUNDING FOR LOCAL ASSISTANCE PROGRAMS, AND
6 THEY FACE VERY DIFFERENT NEEDS, AND THEY HAVE
7 DIFFERENT KINDS OF CHALLENGES TO REACH THE 2000
8 DISPOSAL REDUCTION REQUIREMENTS.
9 MOST OF THE JURISDICTIONS ARE WELL
10 ON THEIR WAY TO IMPLEMENTING A WIDE VARIETY OF
11 DIVERSION PROGRAMS. OTHERS NEED TO REASSESS WHERE
12 THEY ARE NOW AND IDENTIFY ADDITIONAL PROGRAMS THAT
13 THEY NEED TO DO, AND A VERY FEW ARE STILL FOCUSED
14 ON PUTTING TOGETHER PLANS AND SELECTING WHAT
15 PROGRAMS THEY'RE GOING TO BE IMPLEMENTING, AND
16 THEY WANT TO DO THAT AT THE LOWEST POSSIBLE COST.
17 ALL OF THE JURISDICTIONS WITHIN
18 CALIFORNIA THAT WE HAVE BEEN TALKING TO ARE
19 TELLING US THAT THEY ARE REVIEWING THEIR PROGRAM
20 FUNDING, ESPECIALLY IN LIGHT OF PROPOSITION 218
21 THAT PASSED LAST NOVEMBER, TO SEE WHAT KINDS OF
22 IMPACTS THAT'S GOING TO BE HAVING ON THE PROGRAMS
23 THAT THEY CAN FUND. AT THE SAME TIME THAT THE
24 JURISDICTIONS ARE LOOKING TO US FOR ASSISTANCE,
25 THE BOARD IS FACING RESOURCE CONSTRAINTS BECAUSE



1 THE MORE SUCCESSFUL WE ARE IN REDUCING TONNAGE
2 DELIVERED TO THE LANDFILL, THE SMALLER AMOUNT OF
3 MONEY THAT'S COMING TO THE BOARD TO PROVIDE THAT
4 ASSISTANCE.
5 THE LOCAL ASSISTANCE PLAN, TITLED
6 "TO 2000 TOGETHER," IDENTIFIES THE TYPES OF LOCAL
7 ASSISTANCE THAT HAVE BEEN REQUESTED BY
8 JURISDICTIONS, AND MANY OF THE CONCEPTS THAT ARE
9 HERE WERE APPROVED BY THE BOARD AS PART OF THE
10 50-PERCENT INITIATIVE. IT ALSO IDENTIFIES NEEDS
11 OF THE BOARD REGARDING PROGRAM PLANNING,
12 IMPLEMENTATION, AND INFORMATION NEEDED FOR
13 ENFORCEMENT ACTIVITY, AND CONTAINS SOME BROAD
14 GENERAL DIRECTION AND CRITERIA THAT THE BOARD
15 COULD USE OVER THE NEXT TWO TO THREE YEARS TO
16 PRIORITIZE REQUESTS FOR ASSISTANCE.
17 GENERALLY, WHAT WE'VE DONE IN THE
18 PLAN IS TRY TO STRONGLY ENCOURAGE THE FORMATION OF
19 PARTNERSHIPS, COORDINATING BOARD ASSISTANCE, AND
20 INTEGRATED OUTREACH, AS WELL AS REVIEW OF
21 REGULATIONS AND LEGISLATION THAT COULD SIMPLIFY
22 LOCAL GOVERNMENT REQUIREMENTS.
23 THE FOUR BROAD GENERAL TYPES OF
24 ASSISTANCE THAT WE GET REQUESTS FOR ARE PLANNING
25 ASSISTANCE. AND AS I SAID, THAT NUMBER IS



1 DECREASING AS WE GET THE PLANS IN THROUGH THE
2 BOARD'S ENFORCEMENT EFFORTS, IMPLEMENTATION
3 ASSISTANCE, REGULATORY ASSISTANCE, AND FUNDING
4 ASSISTANCE. WHAT WE HAVE DONE IN TERMS OF LOOKING
5 AT IT IS LOOKED AT TWO BROAD TYPES OF ASSISTANCE,
6 ONE THAT WE'RE CALLING UNIVERSAL ASSISTANCE. AND
7 THE UNIVERSAL ASSISTANCE IS THE KIND OF THING THAT
8 WOULD TARGET LARGE GROUPS OF JURISDICTIONS WITH
9 VARIOUS TYPES OF INFORMATION THAT WOULD BE OF
10 BENEFIT TO THEM AND WOULD REDUCE THEIR COSTS. AND
11 THEN WE HAVE JURISDICTION SPECIFIC ASSISTANCE.
12 AND JURISDICTION SPECIFIC ASSISTANCE, OF COURSE,
13 WOULD BE MORE TARGETED TO INDIVIDUAL REQUESTS AND
14 WOULD INVOLVE GROUPS OF STAFF WORKING WITH THE
15 VARIOUS JURISDICTIONS TO PROVIDE THEM THE
16 INFORMATION THAT THEY NEED.
17 WE TOOK A LOOK AT WHAT KIND OF
18 PRIORITIES THE BOARD SHOULD HAVE IN PROVIDING
19 THIS. AND IN TERMS OF THE SPECIFIC JURISDICTION
20 ASSISTANCE, WE RECOMMENDED THAT IT BE PRIORITIZED
21 IN THE FOLLOWING ORDER: JURISDICTIONS WITHOUT
22 APPROVED PLANNING ELEMENTS, WHICH THERE'S A VERY
23 SMALL GROUP AND THE NUMBER IS DECREASING;
24 JURISDICTIONS NOT IMPLEMENTING APPROVED PROGRAMS
25 AND NOT MEETING DISPOSAL REDUCTION REQUIREMENTS;



1 AND JURISDICTIONS IMPLEMENTING APPROVED PROGRAMS,
2 BUT NOT MEETING THE REQUIREMENTS.
3 WE GOT APPROXIMATELY 20 WRITTEN AND
4 ORAL COMMENTS, AND THEY FIT GENERALLY INTO THREE
5 GROUPS. THE LARGEST GROUP OF COMMENTS THAT WE GOT
6 WAS COMPLIMENTS ON LAYING OUT THE LOCAL ASSISTANCE
7 PLAN AND THE PRIORITIES, AND A NUMBER OF THEM HAD
8 SOME EDITING CHANGES.
9 THE SECOND GROUP OF COMMENTS THAT WE
10 GOT WAS FROM JURISDICTIONS THAT WANTED TO ENSURE
11 THAT THE BOARD STAFF WOULD BE AVAILABLE TO RESPOND
12 TO ALL JURISDICTIONS, NOT JUST THE JURISDICTIONS
13 THAT DIDN'T HAVE THEIR PLANNING ELEMENTS COMPLETE.
14 WHAT WE DID IN TERMS OF THE CHANGES
15 IS WE WENT IN AND CHANGED IN FOUR OR FIVE PLACES
16 IN THE DOCUMENTS TO MAKE IT CLEAR THAT WE WOULD BE
17 RESPONDING TO ALL JURISDICTIONS' REQUESTS FOR
18 ASSISTANCE. WE STILL RECOMMEND THAT THE
19 JURISDICTIONS THAT NEED THE MOST ASSISTANCE HAVE
20 THE HIGHEST PRIORITY, AND THEY MAY RECEIVE MORE
21 ASSISTANCE THAN OTHERS.
22 THE THIRD GROUP OF COMMENTS THAT WE
23 GOT RELATED TO FOCUSING ON MAXIMIZING THE NUMBER
24 OF JURISDICTIONS - - EXCUSE ME . - FOCUSING ON
25 MAXIMIZING THE TECHNICAL ASSISTANCE TO



1 JURISDICTIONS WITH THE GREATEST POTENTIAL FOR
2 DIVERSION RATHER THAN FOCUSING ON EACH AND EVERY
3 JURISDICTION REACHING THE 25 AND 50 PERCENT.
4 IN SEVERAL PLACES IN THE DOCUMENT,
5 WE HAVE MADE SOME MODIFICATIONS TO EXPLAIN THAT
6 THE BOARD HAS DUAL MANDATES AND THAT THE BOARD
7 WILL NEED TO BALANCE THOSE DUAL MANDATES. THE
8 FIRST MANDATE WOULD BE TO ENSURE THAT EACH
9 JURISDICTION GETS TO THE 25 AND 50 PERCENT, AND
10 THE SECOND MANDATE THAT WE HAVE IS TO WORK ON
11 MARKETS AND DEVELOP MARKETS.
12 THIS PLAN IS FOCUSED MORE ON THE
13 LOCAL JURISDICTIONS GETTING TO THE 25 AND 50
14 PERCENT. OUR MARKET DEVELOPMENT PLAN IS FOCUSED
15 MORE ON THE DIVERSION TONNAGES. AND IT SHOULD BE
16 NOTED THAT THE JURISDICTION PROGRAMS VERY OFTEN
17 ARE LARGE SUPPLIERS OF MATERIALS FOR THE MARKETS
18 BECAUSE THEY HAVE CONTROL OVER QUITE A BIT OF THE
19 COLLECTION SYSTEM.
20 THOSE ARE THE KINDS OF CHANGES THAT
21 WE'VE MADE IN RESPONSE TO COMMENTS, AND I'D BE
22 GLAD TO ANSWER ANY QUESTIONS YOU MIGHT HAVE. WE
23 DO RECOMMEND APPROVAL OF THE LOCAL ASSISTANCE
24 PLAN.

25 CHAIRMAN PENNINGTON: MR. CHESBRO.



1 BOARD MEMBER CHESBRO: I HAVE SOME
2 COMMENTS. FIRST OF ALL, I WANTED TO CONGRATULATE
3 AND THANK STAFF FOR THE WORK ON THIS. I THINK
4 YOU'VE DONE A VERY GOOD JOB. AND I WANTED TO
5 INDICATE THAT I HAVE BEEN INTERACTING WITH A
6 NUMBER OF LOCAL GOVERNMENTS AROUND THE STATE AND
7 HAVE BEEN TO SEVERAL LOCAL GOVERNMENT MEETINGS,
8 INCLUDING CITIES AND ENVIRONMENTAL QUALITY, TO
9 SOLICIT FEEDBACK. AND WE'VE GOTTEN BOTH POSITIVE
10 COMPLIMENTS, AS STAFF INDICATED, AND ALSO VERY
11 USEFUL CRITICISMS THAT HAVE BEEN INCORPORATED IN
12 THE PLAN AND HAS BEEN MODIFIED IN RESPONSE TO
13 THAT.
14 STAFF ALSO, AND MY ADVISOR AND
15 COMMITTEE ANALYST, HAVE ATTEMPTED TO REACH OUT TO
16 OTHER BOARD OFFICES AND ALSO THE OTHER DIVISIONS
17 WITHIN THE BOARD TO MAKE SURE THAT THIS WAS NOT
18 SOMETHING FREESTANDING AND NOT CONSIDERED IN
19 RELATION TO ALL OF OUR OTHER PROGRAMS AND ALL OF
20 YOUR COMMITTEES' CONCERNS AND OTHER ISSUES THAT
21 STAFF MAY NOT HAVE THOUGHT OF, HOWEVER, THE
22 MEMBERS OF THE LOCAL ASSISTANCE AND PLANNING
23 COMMITTEE MAY NOT - -
24 TWO PARTICULAR CONCERNS WERE RAISED,
25 WHICH I THINK HAVE BEEN ADDRESSED, BUT I CONTINUE



1 TO BE OPEN. AND I KNOW STAFF DOES IF THERE'S
2 INTEREST IN FURTHER ADDRESSING THESE. I WANTED TO
3 MENTION THAT ONE WAS THE RELATIONSHIP TO MARKET
4 DEVELOPMENT. AND I THINK INITIALLY WE
5 INTENTIONALLY IN ORDER TO NOT - - WE, I SHOULD SAY
6 PLANNING STAFF, IN ORDER TO NOT CREATE CONFUSION,
7 MORE OR LESS DREW A LINE AROUND LOCAL ASSISTANCE
8 AND SAID WHEN WE'RE TALKING ABOUT LOCAL
9 ASSISTANCE, WE'RE TALKING ABOUT PLANNING AND
10 PROGRAM - - COLLECTION PROGRAM ASSISTANCE.
11 OBVIOUSLY THE BOARD ASSISTS LOCAL
12 GOVERNMENTS IN A LOT OF OTHER WAYS, INCLUDING
13 LEA'S, INCLUDING MARKET DEVELOPMENT, INCLUDING A
14 WIDE RANGE OF DIFFERENT ACTIVITIES. SO I THINK
15 INITIALLY IT WAS CIRCUMSCRIBED, AND THEN STEPS
16 WERE TAKEN TO MAKE IT - - TO SHOW HOW IT
17 INTERRELATES WITH THE OTHER FORMS OF LOCAL
18 ASSISTANCE.
19 AND I WANT TO MAKE CLEAR THAT I
20 UNDERSTAND AND I THINK STAFF CLEARLY UNDERSTAND
21 THAT LOCAL ASSISTANCE FOR DIVERSION PROGRAMS OR
22 DISPOSAL REDUCTION PROGRAMS IS NOT FREESTANDING,
23 THAT WE HAVE A MARKETS PLAN AND WE HAVE A LOCAL
24 ASSISTANCE PLAN, THE TWO ARE INTERRELATED, AND
25 THEY RATCHET UP TOGETHER, AND THEY'RE NOT



1 COMPLETELY DIVORCED FROM EACH OTHER BY ANY MEANS.
2 AND THOSE TWO PLANS SHOULD COMPLEMENT EACH OTHER
3 AND SHOULD BE VIEWED AS ONE PROVIDING THE QUALITY
4 SUPPLY OF MATERIALS, ONE ADDRESSING THE DEMAND FOR
5 THAT QUALITY SUPPLY OF MATERIALS.
6 SO I HOPE THAT'S BEEN ADDRESSED
7 ADEQUATELY, AND I FEEL THAT IT HAS. THE OTHER
8 THING IS THAT WE'VE HEARD ABOUT THE DANGER OF
9 PRIORITIZING VERY SMALL COMMUNITIES WITH VERY
10 SMALL WASTESTREAMS THAT REALLY DON'T HAVE A LOT OF
11 CONTRIBUTION, EITHER DISPOSAL-WISE OR DIVERSION-
12 WISE ON A STATEWIDE BASIS TO OUR OVERALL
13 ACHIEVEMENT OF 50 PERCENT.
14 AND THAT MS. VAN KEKERIX JUST
15 ADDRESSED A NUMBER OF WAYS THAT THEY ATTEMPTED TO
16 DO IT - - STAFF ATTEMPTED TO FIX THAT AND MAKE SURE
17 IT WAS CLEAR THAT WE WEREN'T GOING TO BE POURING
18 OUR RESOURCES INTO A FEW TINY JURISDICTIONS.
19 ONE OTHER WAY THAT WASN'T MENTIONED
20 THAT'S VERY IMPORTANT IS THE BOARD'S DECISION TO
21 STREAMLINE THE RURAL ASSISTANCE TOOLS. AND THAT'S
22 ANOTHER TRACK THAT IS GOING ON WHERE THE BOARD IS
23 ATTEMPTING TO, RATHER THAN NIT-PICKING THE
24 DECISION-MAKING PROCESS FOR HOW MUCH DIVERSION
25 REDUCTION AND HOW MUCH PLANNING REDUCTION RURAL



1 JURISDICTIONS GET, INSTEAD WE TRY TO SPEED UP AND
2 SIMPLIFY THAT PROCESS SO THAT WE'RE NOT SPENDING
3 LARGE AMOUNTS OF STAFF TIME ON THAT.
4 IF WE SUCCESSFULLY ACHIEVE THAT,
5 THAT SHOULD GREATLY REDUCE THE REQUEST FOR LOCAL
6 ASSISTANCE THAT WOULD COME THROUGH IN THIS PROCESS
7 FROM SMALL, RURAL JURISDICTIONS BECAUSE WE WOULD
8 HAVE ALREADY ADDRESSED EITHER THE TIME EXTENSION
9 DEADLINES IN DIVERSION REDUCTION APPROVALS OR
10 PLANNING REDUCTION APPROVALS. WE WOULD HAVE
11 ALREADY TAKEN CARE OF THE SMALLEST JURISDICTION.
12 SO I HOPE THAT THAT SET PROCESS WILL ALSO ACHIEVE
13 QUITE A BIT AND HELP TO ANSWER THE QUESTION OF HOW
14 DO WE AVOID DISPROPORTIONATE USE OF OUR LIMITED
15 RESOURCES FOR THOSE JURISDICTIONS THAT HAVE THE
16 SMALLEST AMOUNT OF WASTE.
17 WITH THOSE COMMENTS, I ALSO AM
18 AVAILABLE TO ANSWER ANY QUESTIONS ABOUT THE
19 COMMITTEE'S DELIBERATIONS. I WANT TO AGAIN
20 COMPLIMENT STAFF FOR A GOOD JOB.

21 CHAIRMAN PENNINGTON: MR. JONES.

22 BOARD MEMBER JONES: MR. CHAIRMAN, I
23 THINK THAT THIS IS A GOOD PLAN. I MEAN I READ IT.
24 I THINK IT GETS US WHERE WE HAVE TO START GOING
25 AND WE BECOME MORE IMPLEMENTERS. WE HEARD FROM



1 BILL DAVIS TODAY THAT WE NEED TO BE DOING THINGS.
2 AND - - BUT I WOULD - - I THINK IT'S
3 IMPORTANT. I THINK ONE OF THE - - WHEN I WENT
4 THROUGH THIS AND I BROUGHT IT UP IN MY BRIEFING.
5 I THINK THAT THE TYPES OF THINGS THAT WE'RE GOING
6 TO OFFER THROUGH LOCAL ASSISTANCE, WHETHER IT BE
7 AS IMPLEMENTERS OR GOING OUT AND RELEASING
8 INFORMATION, I WOULD LIKE TO SEE INCORPORATED IN
9 THIS PLAN IS THAT IF WE'RE GOING TO PRODUCE MODELS
10 AND DO THOSE TYPES OF THINGS, THAT BEFORE THAT
11 PRODUCT GOES OUT, IT GOES THROUGH A PEER REVIEW.
12 I'VE SEEN PRODUCTS THAT COME OUT OF
13 THE WASTE BOARD OR OTHER STATE AGENCIES, BUT ONE
14 IN PARTICULAR THAT I ALWAYS ENJOYED WAS THE ONE
15 THAT BASICALLY USED INFORMATION FROM NEW YORK OR
16 THE EAST COAST AND SAID THAT MRF'S SHOULD COST A
17 DOLLAR A TON. AND WHEN YOU'RE SITTING THERE WITH
18 A 70-TON-A-DAY WASTESTREAM, TRYING TO EXPLAIN TO A
19 LOCAL BOARD OF SUPERVISORS THAT YOU CAN'T RENT A
20 MOTEL ROOM FOR \$70, LET ALONE BUILD A MATERIALS
21 RECOVERY FACILITY, EVEN THOUGH IT CAME FROM A
22 STATE AGENCY, IT WAS PROBABLY NOT BASED ON THE
23 SAME PARAMETERS THAT WE ARE WORKING WITHIN.
24 AND I DON'T WANT - - YOU KNOW, I
25 WORRY ABOUT THOSE TYPES OF THINGS GOING OUT



1 BECAUSE CITY GOVERNMENTS, COUNTY GOVERNMENTS RELY
2 ON AGENCIES LIKE THIS TO PROVIDE THEM WITH
3 DIRECTION AND WHILE WELL-INTENTIONED CAN SOMETIMES
4 CREATE MORE PROBLEMS.
5 SO I WOULD LIKE TO SEE - - THERE'S A
6 LOT OF AREAS THROUGH THE PLANNING ASSISTANCE,
7 EXAMPLES OF PROGRAMS AND SUCCESSFUL THINGS WITHIN
8 THE RURAL COOKBOOK, THAT I THINK THEY'RE ALL GOOD
9 PROGRAMS, BUT WE NEED - - WE NEED TO KNOW MORE. WE
10 NEED TO INCORPORATE REGIONAL PEOPLE, GOVERNMENT
11 PEOPLE, OPERATORS, I DON'T CARE IF IT'S PUBLIC OR
12 PRIVATE WHO'S DOING THE JOB THERE, TO FIND WHAT
13 THE ISSUES ARE IN THAT AREA, WHAT THE TERRAIN IS
14 LIKE.
15 YOU KNOW, FOR US TO PUT OUT
16 DOCUMENTS THAT SAY CURBSIDE COLLECTION TRUCKS
17 SHOULD BE LIKE THIS, SHOULD LOOK LIKE THIS, DO
18 CURBSIDE. THAT'S ALL WELL AND GOOD. BUT IF YOU
19 DON'T KNOW WHAT THE PROCESSING FACILITY IS ON THE
20 OTHER END, THEN THAT TYPE OF TRUCK IS VERY
21. IMPORTANT BECAUSE YOU MAY BE CREATING SOMETHING
22 THAT CAN'T BE PROCESSED OR IT'S GOING TO ADD COST
23 TO THE PROCESS.
24 I'D LIKE TO SEE IT PHYSICALLY
25 INCLUDED IN THIS PLAN, THAT WE GO THROUGH A FORM



1 OF PEER REVIEW SO THAT WHEN WE DO PUT OUT
2 INFORMATION TO ASSIST LOCAL JURISDICTIONS, THEY
3 HAVE A COMFORT LEVEL THAT IT HAS GONE THROUGH A
4 PEER REVIEW AND HAD COMMENTS THAT - - YOU KNOW, AND
5 I'D ALSO LIKE TO SEE THE ISSUES CATEGORIZED. YOU
6 KNOW, IF WE'RE GOING INTO TERRAIN, CERTAIN TYPES
7 OF AREAS, SOME KIND OF A TITLE THAT SAYS THAT THIS
8 COULD BE USED IN URBAN AREAS WITH SINGLE HOMES,
9 YOU KNOW, THAT ARE SPACED A HUNDRED FEET APART,
10 200 FEET APART. THAT MAY BE TOO DETAILED. I'M
11 DOING THIS OFF THE TOP OF MY HEAD. BECAUSE THERE
12 ARE THINGS WE CAN OFFER THOSE JURISDICTIONS THAT
13 WON'T WORK WHEN HOMES ARE 400 FEET APART OR
14 THEY'RE NOT AS COST-EFFECTIVE, YOU KNOW.
15 AND I THINK WE HAVE A LOT OF
16 AVAILABLE RESOURCES OUT THERE THAT WE CAN DRAW ON.
17 WE'RE NOT - - WHEN I SAY PEER REVIEW, I DON'T MEAN
18 TOTAL CONSENSUS. I MEAN GET THE INFORMATION IN,
19 LOOK AT WHAT THE ISSUES ARE, AND MAKE A GOOD
20 JUDGMENT ON WHAT IS GOOD INFORMATION TO GO OUT.
21 THINK THAT'S REALLY VERY, VERY IMPORTANT, YOU
22 KNOW.
23 I MEAN I LIKE WHAT I SEE HERE. I
24 THINK THIS IS A GOOD WAY TO GO, BUT I REALLY THINK
25 THERE ARE A LOTS OF THINGS THAT NEED DIFFERENT



1 LEVELS OF EXPERIENCE, TALKING - - YOU KNOW, TALKING
2 ABOUT SOME OF THE - - YOU KNOW, SOME OF THE ISSUES.
3 THOSE ARE MY COMMENTS. I THINK
4 STAFF DID A GREAT JOB. I THINK THIS IS THE RIGHT
5 WAY TO GO. I THINK IT INTEGRATES EXISTING
6 PROGRAMS AND EXISTING STRATEGIES THAT JUST
7 IT BETTER, BUT I WOULD REALLY HOPE THAT WE
8 INCLUDE THE PEER REVIEW.

9 BOARD MEMBER CHESBRO: MR. CHAIRMAN.

10 CHAIRMAN PENNINGTON: MR. RELIS.

11 BOARD MEMBER RELIS: I'D LIKE TO SHARE

12 SOME THOUGHTS ON THE PLAN AS WELL. I THINK IT IS

13 A GOOD EFFORT, AND I'M PREPARED TO SUPPORT IT.

14 BUT I'D LIKE TO DISCUSS A FEW MATTERS RELATING TO

15 SPECIFICITY OR THE FOCUS OF LOCAL ASSISTANCE AND

16 PERHAPS KICK THIS AROUND A BIT.

17 THE WAY I SEE IT, ASSUMING WE'RE

18 SOMEWHERE OVER 30 PERCENT, WHICH I THINK WE HEARD

19 FROM MR. CHANDLER YESTERDAY, OUR REVENUES STILL

20 ARE NOT GOING UP, SO POPULATION IS GROWING, SO

21 DIVERSION MUST BE INCREASING STILL. BUT LET'S

22 JUST ASSUME THAT WE'RE SOMEWHERE BETWEEN 30 AND 35

23 PERCENT AT THIS TIME, AND NOW WE'RE FOCUSING ON

24 THE REMAINDER, 15, 20 PERCENT. S

25 THE PLAN INDICATES THAT WE NEED TO



1 PROVIDE CASE STUDY, MODELS, AND IMPROVE
2 MEASUREMENT TECHNIQUES, ETC., AND I CERTAINLY
3 AGREE WITH THAT, AND I ALSO TAKE NOTE OF MR.
4 JONES' POINTS ABOUT THERE ARE MODELS AND THERE ARE
5 MODELS. I MEAN WE NEED TO BE SURE THAT THEY'RE
6 EFFECTIVE MODELS AND THAT THEY HAVE GONE THROUGH
7 SOME PEER REVIEW OR AT LEAST SCRUTINY TO SUGGEST
8 THAT THESE ARE INDEED APPROPRIATE FOR OUR STATE IN
9 DIFFERENT CIRCUMSTANCES.
10 IN ADDITION, I THINK WE NEED TO
11 PINPOINT MAJOR BARRIERS IN SPECIFIC REGIONS OF
12 CALIFORNIA AND WORK WITH LOCAL DECISION MAKERS TO
13 SURMOUNT BARRIERS. WHAT DO I MEAN BY BARRIERS?
14 WELL, HERE'S A THOUGHT THAT CAME OR AN OBSERVATION
15 THAT CAME FROM A RECENT MEETING IN ORANGE COUNTY.
16 OUR OFFICE HAD BEEN TOLD THAT THERE
17 WAS A LACK OF MARKETS FOR COMPOST MATERIALS OR
18 GREEN MATERIAL IN ORANGE COUNTY. AND BASED ON
19 BOARD RESEARCH AND WORK THAT WE HAD BEEN DOING
20 OVER THE YEARS, WE WERE CONFIDENT, HEARING FROM
21 THE COMPOST PRODUCERS AND GREEN WASTE PROCESSORS,
22 THAT THERE WAS INDEED A MARKET. SO WE FELT THERE
23 WAS SOMETHING OF A DISCONNECT GOING ON AND WANTED
24 TO EXPLORE THAT.
25 SO WE - VICKI WILSON WAS GRACIOUS,



1 HEADS THE SOLID WASTE DIVISION FOR THE COUNTY,
2 PULLED TOGETHER A MEETING. WE HAD HAULERS, LOCAL
3 CONTRACT HAULERS. AND RECYCLING SERVICE PROVIDERS,
4 WE HAD ELECTED OFFICIALS, AND WE HAD THE PUBLIC
5 WORKS STAFF, AS WELL AS COMPOST PRODUCERS AND
6 MULCHERS.
7 I THINK FROM THAT MEETING IT WAS
8 QUITE CLEAR TO ALL THOSE WHO WERE IN ATTENDANCE
9 THAT THE MARKETS WERE INDEED THERE, THAT IT WASN'T
10 A MARKET ISSUE. WHAT IT WAS IS - - AND WE HAD A
11 PERMIT ISSUE BEFORE US NOT LONG AGO WHERE THE
12 QUALITY OF SOME OF THE MATERIAL COMING OUT
13 DESTINED FOR A MARKET WAS NOT - - WAS NOT AT AN
14 ADEQUATE LEVEL TO MEET A MARKET NEED. SO THEN THE
15 QUESTION CAME UP, WELL, SO IS THE ISSUE HERE ONE
16 OF REFINING THE SYSTEM SO THAT PERHAPS MORE
17 SCREENS COULD BE PUT ON, WHAT WOULD BE THE COST
18 ASSOCIATED WITH THIS, AND SO ON.
19 SO IT WASN'T - - THE PROBLEM
20 IDENTIFICATION REQUIRED SOME DETAILED DISCUSSION
21 WITH ALL THE PARTIES PRESENT SO THAT WE COULD
22 INDEED PINPOINT WHAT IS IT. IS IT THE MARKET OR
23 IS IT THE PROCESSING OR A COMBINATION OF THE TWO,
24 AND DO REFINEMENTS NEED TO BE MADE IN THE SYSTEM
25 OVER THE NEXT SEVERAL YEARS TO TAKE US CLOSE TO - -



1 CLOSER TO MEETING THE OBJECTIVE?
2 ANOTHER EXAMPLE, SOME OF YOU WERE
3 PARTY TO DISCUSSIONS OVER THE PAPER UTILIZATION
4 RATE LAST MONTH, AND WE'RE WONDERING WHY DID PAPER
5 UTILIZATION RATE GO DOWN IN CALIFORNIA FROM THE
6 YEAR PRIOR. WELL, WE WERE TOLD IN ONE PART IT WAS
7 DUE TO DECLINE OF EXPORTS. EXPORTS MAKE UP A VERY
8 LARGE PERCENTAGE OF OUR RECYCLING, A LARGE PERCENT
9 OF OUR WHAT IS RECYCLED PAPER IN CALIFORNIA, MORE
10 SO THAN OTHER STATES IN THE UNITED STATES BECAUSE
11 WE'RE A PACIFIC RIM STATE, BUT THERE WERE OTHER
12 QUESTIONS RAISED.
13 ONE I PURSUED A FEW WEEKS AGO THAT
14 INDICATES, AGAIN, THIS LEVEL OF DETAILED TECHNICAL
15 ASSISTANCE PINPOINTING PROBLEMS. I WONDERED,
16 WELL, IS PAPER PASSING THROUGH THE SYSTEM BECAUSE
17 MARKETS ARE WEAK? HAD SOME DETAILED DISCUSSIONS
18 WITH AN OPERATOR OR TWO WHO WERE KIND ENOUGH TO
19 SHARE THEIR THOUGHTS. AND I REALIZED THAT FROM
20 THAT, YES, WHEN PAPER PRICES ARE LOW, IT'S NOT A
21 DIFFICULT CONCLUSION, BUT THERE'S A TENDENCY BY
22 SOME MORE THAN OTHERS TO LET THE PAPER GO THROUGH
23 THE SYSTEM AND ON TO THE LANDFILL.
24 NOW, THAT RAISES A QUESTION, WELL,
25 THE CONTRACT HAULER OR RECYCLING PROVIDER IS



1 OBLIGATED TO MEET THE 25 AND 50. DOESN'T SAY
2 ANYTHING ABOUT WHAT HAPPENS IN BETWEEN OR MARKETS
3 ARE UP AND DOWN. SO WE'RE GOING TO - - AND THEN I
4 ASKED THE QUESTION, WELL, WHAT WOULD IT TAKE - - IS
5 THERE ANYTHING THAT CAN BE DONE IN THE MRF SYSTEM
6 TO IMPROVE IT TO RECOVER MORE?
7 WELL, THE BASIC ANSWER WAS MRF'S ARE
8 OPERATING. WE THINK THE INVESTMENT'S MADE, AND
9 THESE ARE SOME OF THE ORANGE COUNTY MRF'S, ARE
10 EXCELLENT MRF'S, AND THE BIG CAPITAL EXPENDITURES
11 HAVE BEEN MADE. THEY'RE EXCELLENT. PROBABLY
12 NOTHING BETTER, MAYBE WORLDWIDE, BUT MAYBE - - AND
13 THERE'RE CLASSIFIERS.
14 A RELATIVELY SMALL INVESTMENT AT THE
15 END OF THE SYSTEM COSTING, WE'LL JUST SAY, 50 TO
16 \$250,000 WOULD MAKE IT LESS LABOR INTENSIVE TO
17 PICK THE LINES AND SELECT THE MATERIAL. SO THEN
18 THE QUESTION BECOMES, WELL, ARE WE REALLY TALKING
19 ABOUT SOME VERY PINPOINTED REFINEMENTS IN THE
20 SYSTEM THAT ARE TECHNICAL IN NATURE, SOME MIGHT BE
21 COLLECTION IN NATURE, AND SOME MIGHT REQUIRE SOME
22 FINE-TUNED NEGOTIATIONS THAT ARE OBVIOUSLY
23 UNCOMFORTABLE FOR BOTH THE SERVICE PROVIDER TO
24 BRING TO THE ATTENTION OF A CITY THAT DOESN'T WANT
25 TO SPEND ANY OR, IF ANYTHING, A LITTLE MORE, BUT



1 NOT MUCH MORE ON DIVERSION.
2 WHAT THIS TAUGHT ME IN BOTH
3 DISCUSSIONS IS THAT THE BOARD CAN PLAY A CRITICAL
4 ROLE IN REGIONAL DISCUSSIONS. I THINK MR. JONES
5 HAS HAD THESE, MR. CHESBRO, ALL OF US HAVE HAD
6 THEM AT ONE LEVEL OR ANOTHER WHERE YOU'RE REALLY
7 TRYING TO GET AT WHAT IS THE PROBLEM IN A GIVEN
8 AREA. AND THE BOARD HAS THE CREDIBILITY, I THINK,
9 TO CONVENE PARTIES WHO MIGHT OTHERWISE FEEL
10 FRANKLY UNCOMFORTABLE TO TALK IN AN OPEN SETTING
11 TO DEAL WITH BOTH FINANCIAL ISSUES AND TECHNICAL
12 ISSUES.
13 SO I'M URGING THAT OUR LOCAL
14 ASSISTANCE EFFORT THROUGH THIS PLAN COULD BE
15 REFINED A BIT FURTHER. I'M NOT SAYING THAT WE
16 HOLD IT UP TODAY, BUT I WANTED TO HEAR WHAT THE
17 CHAIR, MR. CHESBRO, MIGHT THINK IF WE COULD GET
18 MORE DETAIL ON THIS BECAUSE I THINK THIS IS WHERE
19 LOCAL ASSISTANCE REALLY PLAYS OUT AND WHERE THE
20 BOARD'S PRESENCE CAN MAKE A CRITICAL DIFFERENCE AS
21 WE DEAL WITH THE NEXT SHORT TWO-YEAR TIME FRAME.
22 SO I'D LIKE TO SEE THE BOARD CONDUCT
23 SOME REGIONAL PROBLEM SOLVING MEETINGS ON A PILOT
24 BASIS. AND WHILE THIS WOULD NEED TO BE FLUSHED
25 OUT SUBSEQUENT TO THIS MEETING, I DON'T HAVE THAT



1 DETAIL, I ENVISION IT AS LOCAL ASSISTANCE. AND
2 I'D LIKE TO SEE THE LOCAL ASSISTANCE AND MARKETS
3 PEOPLE COME TOGETHER AT SUCH A MEETING BECAUSE I
4 THINK THOSE COMPONENTS ARE BOTH CRITICAL TO THE
5 CLARIFICATION OF THE ISSUES AND THE OPPORTUNITIES.
6 THEY WOULD IDENTIFY BARRIERS IN THE REGION TO
7 ADDITIONAL DIVERSION AND CONVENE REGIONAL
8 STAKEHOLDERS TO DEVELOP OPTIONS FOR ADDRESSING
9 THESE BARRIERS AND HOPEFULLY IMPLEMENTATION STEPS.
10 WOULD BE TARGETED AT A FEW REGIONS, ONES THAT
11 EXHIBIT HIGH WASTE GENERATION RATES AND THAT
12 CONTAIN JURISDICTIONS WHO MAY BE LOOKING LIKE
13 THEY'RE IN TROUBLE IN REACHING THE 50-PERCENT
14 DIVERSION.
15 SECOND ISSUE THAT I WOULD LIKE TO
16 RAISE IS THAT MORE TECHNICAL ASSISTANCE IS ALSO
17 NEEDED FOR LOCAL JURISDICTIONS WHEN THEY'RE
18 CONSIDERING SITING RECYCLING FACILITIES. I KNOW
19 THIS IS A VERY SENSITIVE AREA FOR THIS BOARD
20 BECAUSE WE HAVE, ONCE AGAIN, THE DUAL ROLE THAT
21 WE'VE ALWAYS HAD WHERE WE'RE PUSHING FOR
22 DIVERSION. WE NEED FACILITIES TO DIVERT. I'VE
23 SAID HERE IN THIS FORUM BEFORE THAT IT SEEMS
24 INTERESTING THAT ON ONE HAND LOCAL JURISDICTIONS
25 HAVE IN SOME CASES A VIEW THAT A WASTEWATER



1 TREATMENT PLANT IS AN ESSENTIAL FACILITY, BUT A
2 RECYCLING FACILITY MAY NOT BE. THAT'S A MIND-SET
3 I THINK THAT THE BOARD HAS TO WORK ON BECAUSE
4 AB 939 IS LAW, IT'S DIRECTING US TO MOVE IN A
5 DIRECTION THAT IS DIFFERENT FROM THAT
6 HISTORICALLY, AND IT REQUIRES DIFFERENT TYPES OF
7 FACILITIES.
8 I'M AWARE OF MANY INSTANCES WHERE
9 THERE'S BEEN CONSIDERABLE LOCAL OPPOSITION, IN
10 SOME CASES, TO COMPOSTING FACILITIES, OTHERS TO
11 CONSTRUCTION AND DEMOLITION. WE'VE HAD SEVERAL
12 BILLS THIS SESSION, SPECIFICALLY ON - - ONE ON C&D
13 BECAUSE OF A SERIOUS PROBLEM IN AN AREA OF LOS
14 ANGELES.
15 OPPONENTS RAISE OFTEN LEGITIMATE
16 LOCAL CONCERNS, BUT THERE ARE ALSO OTHER CONCERNS
17 THAT THIS BOARD HAS ISSUED ADVISORIES ON, SUCH AS
18 ASPERGILLUS IN COMPOST FACILITIES WHERE WE FELT
19 CONFIDENT THAT THE HEALTH CONCERNS WERE NOT WHAT
20 THEY WERE BEING PORTRAYED TO BE AND ISSUED AN
21 ADVISORY AND HAVE WORKED HARD TO DO THIS. AND THE
22 QUESTION IS SHOULD LOCAL ASSISTANCE INCLUDE SOME
23 PRESENCE AT, INFORMATIONAL ONLY, NOT ADVOCACY FOR
24 A SPECIFIC PROJECT, THAT WE CANNOT DO, BUT
25 PRESENCE OF A TECHNICAL, SCIENTIFIC NATURE THAT WE



1 HAVE.
2 I THINK WE NEED A TEAM OF STAFF
3 EXPERTS THAT CAN APPEAR ON TECHNICAL ISSUES IN
4 SOME CASES AT LOCAL HEARINGS WITHOUT CROSSING INTO
5 THE LOCAL LAND USE DECISIONS. THAT, NO DOUBT,
6 NEEDS DISCUSSION AND DETAILED EVALUATION. I
7 REALIZE IT'S A DIFFERENT TYPE OF ROLE, BUT I THINK
8 AS WE LOOK AT A CRITICAL TWO-YEAR PERIOD, IF WE
9 WANT TO GO ALL OUT, WHICH WE MUST DO, TO REACH THE
10 GOAL, I THINK THESE ARE TOOLS THAT HAVE TO BE PART
11 OF OUR LOCAL ASSISTANCE PACKAGE.
12 AND SO I'M NOT ARGUING THAT THE
13 LOCAL ASSISTANCE PLAN DOESN'T PROVIDE THE
14 FRAMEWORK FOR THIS. I'M JUST SAYING IF WE COULD
15 BRING IT A LITTLE MORE INTO FOCUS. AND IF BOARD
16 MEMBERS FEEL OKAY WITH THIS, THIS IS THE DIRECTION
17 THAT I'D LIKE TO SEE IT REFINED IN AND ALONG WITH
18 MR. JONES' COMMENTS.

19 CHAIRMAN PENNINGTON: MR. CHESBRO.

20 BOARD MEMBER CHESBRO: YES, MR. CHAIRMAN,
21 I'D LIKE TO RESPOND TO THE COMMENTS THAT BOARD
22 MEMBER JONES AND BOARD MEMBER RELIS HAVE PROVIDED
23 US WITH. FIRST OF ALL, WITH REGARDS TO PEER
24 REVIEW, I THINK IT'S A GOOD IDEA. HOPEFULLY OUR
25 LEVEL OF TECHNICAL ANALYSIS HAS BECOME MORE



1 SOPHISTICATED, LIKE THE EXAMPLE THAT WAS CITED,
2 BUT I STILL THINK THAT THE POINT IS WELL TAKEN.
3 I THINK THAT WE'VE HAD SOME MORE
4 COMPLEX MODELS AND DONE A BETTER JOB THAN WE DID
5 EARLY ON OF TESTING THEM AND GOING TO GROUPS AND
6 THAT SORT OF THING. IT'S CLEARLY IMPORTANT
7 BECAUSE WE HAVE SUCH A VARIETY OF PERSPECTIVES IN
8 THE STATE IN TERMS OF SIZE, WHICH YOU ADDRESSED,
9 DIFFERENCES IN DEMOGRAPHICS, DIFFERENCES IN
10 HISTORY, AND TRADITION OF PRIVATE OR PUBLIC
11 OPERATION. THERE'S LOTS OF DIFFERENT VARIABLES,
12 AND THAT'S PART OF THE DIFFICULTY IN PREPARING
13 MODELS. WE UNDERSTAND FROM THE BEGINNING OF 939
14 THAT ONE SIZE DOES NOT FIT ALL.
15 50 THE WHOLE CONCEPT OF MODELS
16 SHOULD NOT BE THAT WE CAN INVENT ONE THING THAT
17 WORKS BEST, BUT TO THE EXTENT WE DEVELOP A VARIETY
18 OF MODELS, WE NEED THE INPUT OF THOSE DIFFERENT
19 INTEREST GROUPS. SO I THINK IT WILL BE GREAT TO
20 INCORPORATE INTO THE MOTION TODAY DIRECTION TO
21 STAFF TO BUILD THAT INTO THE PROCESS.
22 WITH REGARDS TO THE ISSUES THAT MR.
23 RELIS BRINGS UP, THEY'RE INTERESTING ISSUES
24 BECAUSE BOTH ARE WITHIN THE SCOPE OF THIS PLAN,
25 AND THEY'RE ALSO SOMEWHAT BROADER AND INVOLVE



1 ISSUES OF SITING AND PERMITTING. THEY INVOLVE
2 ISSUES THAT INCLUDE MARKET DEVELOPMENT, AND SO
3 THEY'RE ALSO SOMEWHAT BIGGER THAN THE SCOPE OF
4 THIS PARTICULAR PLAN.
5 I THINK BOTH MEMBERS MADE VERY GOOD
6 POINTS AND SUGGESTIONS THAT ARE INTERDIVISIONAL IN
7 NATURE. AND AGAIN, I THINK THE BEST WAY TO HANDLE
8 THEM AT THIS POINT WOULD BE TO, AS PART OF THE
9 MOTION, DIRECT STAFF TO EXAMINE THOSE TWO AREAS
10 THAT YOU'VE RAISED AND REPORT BACK TO US ON
11 METHODS OF ADDRESSING THOSE ISSUES WITH THE
12 APPROPRIATE DIVISIONS, PLURAL, OF THE BOARD BEING
13 INVOLVED IN ADDRESSING HOW WE WOULD GO ABOUT THAT.

14 CHAIRMAN PENNINGTON: MR. JONES.

15 BOARD MEMBER JONES: I WAS GLAD TO HEAR
16 MR. RELIS' IDEAS ON FORMING A TEAM AND GLAD THAT

17 BOARD MEMBER CHESBRO AGREES. I WAS DOWN IN
18 SOUTHERN CALIFORNIA LAST WEEK. AND IT'S VERY
19 CLEAR TO ME THAT JUST SENDING MARKETS AND LOCAL
20 ASSISTANCE INTO THAT AREA THAT GENERATES SO MUCH
21 WASTE AND THERE IS A - . I DON'T KNOW IF IT'S A
22 LACK OF INFORMATION OR SOMETIMES IF IT'S A LACK OF
23 WANTING TO UNDERSTAND THE INFORMATION BECAUSE WHEN
24 SOME OF THE QUESTIONS COME FORWARD, YOU KNOW, AND
25 YOU LOOK AND YOU SAY THIS IS 1997. THIS WAS DUE



1 SEVEN YEARS AGO. AND I MEAN IT'S LIKE IT'S NEW
2 STUFF.
3 I THINK WE REALLY NEED TO LOOK AT
4 THE TEAM CONCEPT AND WHETHER TO BECOME STRATEGIC
5 PLAN OR THE LOCAL PLAN. I THINK IT CAN BE
6 IDENTIFIED IN ALL THE PLANS, TO TELL YOU THE
7 TRUTH, WHERE WE FORM A TEAM THAT INCLUDES PERMITS
8 AND INCLUDES WASTE PREVENTION AND INCLUDES MARKETS
9 AND LOCAL ASSISTANCE AND ANYBODY ELSE I'M
10 FORGETTING. EDUCATION. THEY - - BECAUSE IT'S LIKE
11 THE MODELS THAT WE DO, YOU KNOW, IT'S - - IF WE DO
12 A MODEL AND WE DON'T LOOK AT IT AS AN INTEGRATED
13 PROGRAM, THEN WE'RE DOING A DISSERVICE.
14 SO IF WE'RE GOING TO DO THESE
15 REGIONAL THINGS, WE OFFER SERVICE BY BRINGING IN A
16 TEAM CONCEPT. WHEN THE ISSUES COMES UP - - I
17 TALKED ABOUT GRASSCYCLING IN SOUTHERN CALIFORNIA
18 LAST MONTH. PEOPLE DIDN'T REALLY HAVE A PROBLEM
19 WITH IT WHEN I MADE THEM UNDERSTAND, BUT I HAD A
20 CITY COUNCILWOMAN THAT SAID, "WHY SHOULD WE DO
21 THAT? IT WON'T COUNT."
22 I SAID, "SURE, IT WILL COUNT. IF IT
23 DOESN'T GO TO A LANDFILL, THEN IT'S A REAL NUMBER.
24 IT'S NOT A PIE-IN-THE-SKY NUMBER. IT'S A REAL
25 NUMBER. IT COUNTS." "NO, I DON'T BELIEVE IT



1 COUNTS. I DON'T BELIEVE IT CAN COUNT."

2 YOU KNOW, SO YOU SPEND FIVE MINUTES

3 EXPLAINING SOMETHING THAT THEY SHOULD HAVE KNOWN

4 FOR A LONG TIME. SO WHEN YOU BROUGHT UP TEAM,

5 THAT TRIGGERED THAT CONVERSATION WITH THAT

6 COUNCILPERSON. AND I THINK THIS IS A GOOD

7 DIRECTION, AND IT'S A UTILIZATION OF WHAT

8 AVAILABLE FUNDS WE HAVE, USING OUR EXISTING

9 EXPERTISE AND GETTING IN THERE AND HITTING, SO I'M

10 GLAD THAT'S THE DIRECTION.

11 BOARD MEMBER CHESBRO: I GUESS THE ONE

12 CAVEAT I WOULD SAY, YOU DID ACKNOWLEDGE THIS,

13 PAUL, IS THAT SITING ASSISTANCE IS A TRICKY

14 THICKET TO WALK INTO.

15 BOARD MEMBER RELIS: I UNDERSTAND. IT'S

16 EXTREMELY TRICKY. AND YET WE'VE GOT - - WE'VE GOT

17 A HUGE UNDERTAKING IN TWO YEARS. AND IF WE CAN

18 MAKE A CRITICAL DIFFERENCE THROUGH INFORMATION,

19 ONLY INFORMATION, NOT ADVOCACY, THEN I THINK WE

20 HAVE TO FIND THE MEANS TO BE THERE AT CRITICAL

21 JUNCTURES. AND AGAIN, THAT - - HOW WE DO THAT,

22 UNDER WHAT RESTRAINTS, WE NEED TO HEAR FROM STAFF

23 BECAUSE, LEGAL, WE HAVE ALL THE DIVISIONS THAT

24 HAVE SOMETHING TO SAY ABOUT THAT.

25 BOARD MEMBER GOTCH: MR. CHAIR, I WANT TO



1 JUST SAY THAT I AGREE WITH THE COMMENTS THAT HAVE
2 BEEN MADE. I THINK ALSO THAT WE NEED TO TAKE A
3 LOOK AT THE BIG PICTURE PRICE TAG AND INCLUDE THAT
4 IN THE INFORMATION YOU BRING BACK.

5 MS. FRIEDMAN: MR. CHAIR, IF I COULD
6 REPEAT THE DIRECTION BEING GIVEN TO STAFF HERE,
7 JUST TO MAKE SURE THAT WE CAPTURED IT ALL AND
8 CLARITY HERE. IT LOOKS AS THOUGH WE'VE BEEN ASKED
9 TO EXAMINE OPTIONS INCLUDING REGIONAL PROBLEM
10 SOLVING, INCLUDING INTERDIVISIONAL TEAMWORK TO DO
11 THOSE KINDS OF THINGS, TECHNICAL ASSISTANCE NEEDED
12 IN SITING OF DIVERSION FACILITIES, AND PEER REVIEW
13 AS PART OF - BUILT INTO THE PROCESS OF ANY MODELS
14 OR PRODUCTS THAT WE PRODUCE FOR TECHNICAL
15 ASSISTANCE PURPOSES. AND WE WOULD BE COMING BACK
16 TO THE PLANNING COMMITTEE WITH A REPORT IN THESE
17 AREAS, AND WE'D BE WORKING INTERDIVISIONALLY TO
18 DEVELOP THIS INFORMATION AND ALSO THE COST TAG; IS
19 THAT CORRECT? DO I HAVE THAT?

20 BOARD MEMBER RELIS: VERY GOOD.

21 BOARD MEMBER CHESBRO: I'M NOT TRYING TO
22 JUMP THE GUN HERE IF THERE ARE OTHERS, BUT IF THAT
23 INCORPORATES THE CONCERNS THAT THE MEMBERS OF THE
24 BOARD HAVE, I WOULD INCLUDE THOSE - - THE DIRECTION
25 TO STAFF TO INVESTIGATE THOSE AREAS AND THAT THE



1 BOARD APPROVE THE LOCAL ASSISTANCE PLAN.

2 BOARD MEMBER RELIS: I'LL SECOND.

3 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND

4 SECONDED. IF THERE'S NO FURTHER DISCUSSION, WILL

5 THE SECRETARY CALL THE ROLL.

6 BOARD SECRETARY:BOARD MEMBER CHESBRO.

7 BOARD MEMBER CHESBRO: AYE.

8 BOARD SECRETARY:FRAZEE.

9 BOARD MEMBER FRAZEE: AYE.

10 BOARD SECRETARY:GOTCH.

11 BOARD MEMBER GOTCH: AYE.

12 BOARD SECRETARY:JONES.

13 BOARD MEMBER JONES: AYE.

14 BOARD SECRETARY:RELIS.

15 BOARD MEMBER RELIS: AYE.

16 BOARD SECRETARY:CHAIRMAN PENNINGTON.

17 CHAIRMAN PENNINGTON: AYE. MOTION

18 CARRIES.

19 BOARD MEMBER RELIS: MR. CHAIR, ALSO

20 BEFORE LEAVING THIS, I REALLY THINK THE BOARD, TO

21 THE DEGREE THAT WE CAN BE AVAILABLE AS BOARD

22 MEMBERS FOR THESE REGIONAL MEETINGS AND

23 DISCUSSIONS OF THIS TYPE, BECAUSE I THINK IT

24 UNDERSCORES IN LOCAL JURISDICTIONS' MINDS THE

25 BOARD'S NOT ONLY OVERSIGHT, BUT INVOLVEMENT IN THE



1 GOAL SETTING AND THE GOAL IMPLEMENTATION. AND I
2 JUST THINK IT MAKES A DIFFERENCE WHEN WE'RE IN THE
3 FIELD.

4 BOARD MEMBER JONES: HUGE. THEY BRING
5 THE WHOLE TOWN OUT IN SOME OF THESE PLACES.

6 CHAIRMAN PENNINGTON: OKAY. WE'LL DO
7 THAT.

8 MOVING NOW TO ITEM 37, WHICH IS
9 CONSIDERATION OF A REVISED SOLID WASTE FACILITY
10 PERMIT FOR THE TAFT SANITARY LANDFILL IN KERN
11 COUNTY. DOROTHY RICE.

12 MS. RICE: THANK YOU, MR. CHAIRMAN AND
13 MEMBERS. TERRY SMITH WILL MAKE THE STAFF
14 PRESENTATION, ASSISTED BY DIANA WILSON WITH THE
15 LOCAL ENFORCEMENT AGENCY.

16 MR. SMITH: MR. CHAIRMAN, BOARD MEMBERS,
17 ITEM NO. 37 REGARDS CONSIDERATION OF A REVISED
18 SOLID WASTE FACILITY PERMIT FOR THE TAFT SANITARY
19 LANDFILL LOCATED IN KERN COUNTY. CONCURRENCE WITH
20 THIS PERMIT REVISION WILL UPDATE THE EXISTING 1978
21 PERMIT TO ALLOW THE FOLLOWING CHANGES: INCREASE
22 IN MAXIMUM DAILY TONNAGE FROM 53 TO 490 TONS,
23 MODIFICATION OF WASTE DISPOSAL METHODS, INCLUDING
24 THE USE OF ALTERNATIVE DAILY COVER; ESTABLISH AN
25 ESTIMATED CLOSURE DATE OF 2040; THE ADDITION OF A



1 GATEHOUSE, LOADCHECKING PROGRAM, AND OIL AND
2 ANTIFREEZE RECYCLING PROGRAM; CHANGE IN OPERATING
3 HOURS; INCREASE IN TOTAL CAPACITY FROM 1.9 MILLION
4 CUBIC YARDS TO 8.9 MILLION CUBIC YARDS.
5 AFTER COMPLETING THE REVIEW OF THE
6 PROPOSED PROJECT, THE LEA AND BOARD STAFF HAVE
7 DETERMINED THAT ALL OF THE STATE AND LOCAL
8 REQUIREMENTS FOR THE PERMIT HAVE BEEN MET. THE
9 FACILITY IS IN CONFORMANCE WITH THE KERN COUNTY
10 SOLID WASTE MANAGEMENT PLAN. THE FACILITY IS
11 CONSISTENT WITH KERN COUNTY GENERAL PLAN. THE
12 PROJECT DESIGN AND OPERATION ARE IN COMPLIANCE
13 WITH STATE MINIMUM STANDARDS, AND THE CALIFORNIA
14 ENVIRONMENTAL QUALITY ACT HAS BEEN SATISFIED.
15 STAFF HAVE ANALYZED THE PROPOSED
16 PERMIT AND SUPPORTING DOCUMENTATION AND FOUND THEM
17 TO BE ACCEPTABLE FOR THE BOARD'S CONSIDERATION.
18 IN CONCLUSION, STAFF RECOMMEND THAT
19 THE BOARD ADOPT PERMIT DECISION NO. 97-350,
20 CONCURRING WITH THE ISSUANCE OF SOLID WASTE
21 FACILITY PERMIT NO. 15-AA-0061.
22 MS. NANCY EWERT, REPRESENTING KERN
23 COUNTY WASTE MANAGEMENT, IS HERE AND AVAILABLE TO
24 ANSWER QUESTIONS. ALSO, MS. DIANA WILSON IS HERE,
25 REPRESENTING THE LEA. THIS CONCLUDES STAFF



1 PRESENTATION.

2 BOARD MEMBER RELIS: MR. CHAIR, THIS ITEM
3 PROBABLY WOULD HAVE BEEN ON CONSENT IF I HAD NOT
4 RAISED THE QUESTION. BECAUSE OF THE PRIOR MONTHS
5 WE HAD A VERTICAL EXPANSION OVER AN UNDERLINED
6 LANDFILL, AND IT WAS WITH THAT IN MIND A QUESTION
7 CAME UP AT THE END OF MY REVIEW HERE WHERE I HAD
8 SOME CONCERNS OVER CLARIFYING THE VERTICAL VERSUS
9 LATERAL SUBTITLE D COMPLIANCE HERE.

10 SUBSEQUENT TO THAT, MS. EWERT WAS
11 KIND ENOUGH TO SEND ME A DETAILED EXPLANATION. I
12 ALSO RECEIVED MORE FROM OUR STAFF ON THIS. AND
13 I'M SORRY ONLY IN THAT CLARIFICATION LEADS TO YOU
14 HAVING TO BE HERE PERHAPS THAN OTHERWISE, BUT I
15 KNOW MS. EWERT IS HERE, AND I WOULD LIKE TO HEAR
16 HER COMMENTS IF WE COULD.

17 MS. EWERT: GOOD MORNING, MR. CHAIRMAN
18 AND MEMBERS OF THE BOARD. MY NAME IS NANCY EWERT.
19 I'M THE TECHNICAL RESOURCES MANAGER FOR KERN
20 COUNTY WASTE MANAGEMENT DEPARTMENT.
21 THE TAFT SANITARY LANDFILL ACTUALLY
22 REPRESENTS ABOUT THE FIFTH PERMIT THAT WE HAVE
23 BROUGHT YOU RECENTLY. YOU MAY NOT HAVE RECOGNIZED
24 THAT OVER THE LAST EVERY TWO MONTHS OVER THE YEAR
25 WE HAVE BROUGHT YOU A NEW PERMIT. KERN VALLEY



1 TRANSFER, BUTTONWILLOW TRANSFER STATION. WE HAVE
2 UPDATED A NUMBER OF PERMITS.
3 IN 1995, UNFORTUNATELY, KERN COUNTY
4 ONLY HAD ABOUT 33 PERCENT CURRENT PERMITS. AND
5 OVER THE LAST TWO YEARS, WE HAVE WORKED VERY
6 DILIGENTLY TO GET OUR PERMITS IN LINE AND TO BRING
7 THEM TO YOU ON A VERY REGULAR BASIS. BY THE END
8 OF THIS YEAR, WE SHOULD ALSO BRING YOU THE BORON
9 SANITARY LANDFILL AND THE TEHACHAPI SANITARY
10 LANDFILL PERMITS FOR REVISION. THAT WILL BRING US
11 UP TO ABOUT A 75-PERCENT MARGIN OF CONCURRENCE.
12 AND THEN NEXT YEAR WE ALSO HOPE TO
13 BRING YOU ARVIN, BENA, AND THE MOJAVE SANITARY
14 LANDFILL. AT THAT POINT I WILL BE VERY RELIEVED
15 AND VERY THRILLED TO HAVE 80 PERCENT OF OUR
16 PERMITS ALL IN COMPLIANCE AND UPDATED.
17 THE REMAINING 20 PERCENT OF THE
18 FACILITIES, HOWEVER, ARE INACTIVE OR IN VARIOUS
19 STAGES OF CLOSURE. AND WE PLAN ON BRINGING THOSE
20 TO CLOSURE AND SURRENDERING THOSE PERMITS. SO WE
21 WILL NOT BRING THOSE PERMITS BEFORE YOU IN THE
22 FUTURE.
23 THIS HAS BEEN, AS I SAY, A VERY
24 DILIGENT EFFORT. AND OVER THE LAST TWO YEARS, AS
25 YOU RECOGNIZE, THIS IS ONE THAT WAS A '78 PERMIT.



1 WE HAD TO GO BACK TO GROUND ZERO. WE WERE WRITING
2 CEQA DOCUMENTS, TOTALLY REWRITING POSTCLOSURE
3 MAINTENANCE PLAN, AND UPDATING AND GETTING
4 CONSISTENT ALL THE DOCUMENTATION FOR ALL OF OUR
5 SITES.
6 TAFT SANITARY LANDFILL, FROM 1978 TO
7 PRESENT, DOES LOOK LIKE IT HAS A SIGNIFICANT
8 INCREASE. BUT OVER THE LAST 19 YEARS, THIS
9 FACILITY HAS SEEN ALL OF THE MAJOR CHANGES. WE
10 WENT FROM A BURN DUMP WHERE WE ONLY EXCAVATED DOWN
11 6 FEET TO WHERE WE WENT TO AN AREA METHOD WITH
12 COMPACTION. WE STARTED EXCAVATING DOWN 20 FEET.
13 THAT SIGNIFICANTLY INCREASED THE CAPACITY OF THE
14 SITE.
15 IN THE EARLY '90S REGULATIONS CAME
16 THROUGH THAT REQUIRED 3-PERCENT DRAINAGE, ACTUALLY
17 GRADING ON THE TOP TO PROMOTE DRAINAGE AND TO
18 OVERCOME SOME OF THE SETTLEMENT ISSUES WITH
19 LANDFILLS. AND SO AGAIN, WE HAD TO REDO OUR FINAL
20 FILL. AND THAT - - HAVING - - MAKING IT CONSISTENT
21 WITH EXISTING IN-PLACE REFUSE, THAT ALSO BROUGHT
22 UP OUR TOTAL A LITTLE BIT.
23 BUT RIGHT NOW OUR FACILITY, WE HAVE
24 GONE THROUGH ALL THE STEPS. OUR CEQA IS IN PLACE,
25 OUR POSTCLOSURE MAINTENANCE, AND CLOSURE PLANS ARE



1 IN PLACE, AND WE ARE HAPPY AND HOPEFUL TO BRING
2 THE PERMITS BEFORE YOU. IF YOU HAVE ANY OTHER
3 QUESTIONS, I WOULD BE HAPPY TO ANSWER THEM.

4 CHAIRMAN PENNINGTON: QUESTIONS? OKAY.
5 ANY QUESTIONS OF STAFF? OKAY.

6 MS. EWERT: THANK YOU VERY MUCH.

7 CHAIRMAN PENNINGTON: I'LL ENTERTAIN A
8 MOTION.

9 BOARD MEMBER FRAZEE: YES. I WOULD MOVE
10 ADOPTION OF RESOLUTION 97-350.

11 BOARD MEMBER RELIS: SECOND.

12 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
13 SECONDED. ANY FURTHER DISCUSSION? IF NOT, WILL
14 THE SECRETARY CALL THE ROLL.

15 BOARD SECRETARY:BOARD MEMBER CHESBRO.

16 BOARD MEMBER CHESBRO: AYE.

17 BOARD SECRETARY:FRAZEE.

18 BOARD MEMBER FRAZEE: AYE.

19 BOARD SECRETARY:GOTCH.

20 BOARD MEMBER GOTCH: AYE.

21 BOARD SECRETARY:JONES.

22 BOARD MEMBER JONES: AYE.

23 BOARD SECRETARY:RELIS.

24 BOARD MEMBER RELIS: AYE.

25 BOARD SECRETARY:CHAIRMAN PENNINGTON.



1 CHAIRMAN PENNINGTON: AYE. MOTION

2 CARRIES.

3 MOVE TO ITEM 48, CONSIDERATION OF

4 CONCURRENCE IN THE ISSUANCE OF A STANDARDIZED

5 COMPOSTING PERMIT FOR THE CITY OF BAKERSFIELD

6 MATERIAL PROCESSING FACILITY IN KERN COUNTY.

7 DOROTHY RICE.

8 MS. RICE: THANK YOU. TERRY SMITH WILL

9 AGAIN MAKE THIS PRESENTATION.

10 MR. SMITH: THE CITY OF BAKERSFIELD IS

11 CURRENTLY OPERATING A GREEN MATERIAL COMPOSTING

12 FACILITY ON 20 ACRES OF LAND UNDER A STANDARDIZED

13 COMPOSTING PERMIT ISSUED AUGUST OF '96. BOARD

14 CONCURRENCE WITH THE PROPOSED PERMIT, STANDARDIZED

15 COMPOSTING PERMIT, IN ITEM NO. 48 WILL ALLOW THE

16 CITY OF BAKERSFIELD TO EXPAND THE FACILITY SIZE

17 FROM 20 TO 30 ACRES, INCREASE THE AMOUNT OF

18 MATERIAL THAT IS ALLOWED TO BE ON SITE UNDERGOING

19 A COMPOSTING PROCESS FROM 7,560 TO 25,000 CUBIC

20 YARDS, AND INCREASE THE SITE'S DESIGN CAPACITY

21 FROM 86,560 TO 154,680 CUBIC YARDS.

22 THE TYPES OF WASTE THAT ARE

23 ACCEPTED, THE DAILY TONNAGE, AND THE AMOUNT OF

24 MATERIAL THAT IS PROCESSED ANNUALLY WILL REMAIN

25 THE SAME AS CURRENTLY PERMITTED.



1 AGENDA ITEM 48 DOES NOT INCLUDE
2 STAFF'S RECOMMENDATION BECAUSE WE HAD NOT
3 COMPLETED OUR REVIEW AT THE TIME THE ITEM WENT TO
4 PRINT. STAFF HAVE SINCE COMPLETED THEIR REVIEW
5 AND THE RESOLUTION FOR THIS ITEM, ALONG WITH A
6 COPY OF THE REVISED PAGE 2 OF THE PROPOSED PERMIT,
7 HAVE BEEN DISTRIBUTED TO YOU THIS MORNING, I HOPE.
8 AFTER COMPLETING OUR REVIEW, BOARD
9 STAFF HAVE DETERMINED THAT THE FACILITY DESIGN AND
10 OPERATION IS CONSISTENT WITH STATE MINIMUM
11 STANDARDS AND THAT APPLICABLE STATE AND LOCAL
12 REQUIREMENTS FOR THE PROPOSED PERMIT HAVE BEEN
13 MET, INCLUDING THE CONFORMANCE WITH THE KERN
14 COUNTY SOLID WASTE MANAGEMENT PLAN, CONSISTENCY
15 WITH THE KERN COUNTY GENERAL PLAN, AND COMPLIANCE
16 WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.
17 STAFF HAVE ANALYZED THE PROPOSED
18 PERMIT AND SUPPORTING DOCUMENTATION AND FOUND THEM
19 TO BE ACCEPTABLE.
20 IN CONCLUSION, STAFF RECOMMEND THAT
21 THE BOARD ADOPT PERMIT DECISION NO. 97-377,
22 CONCURRING WITH THE ISSUANCE OF SOLID WASTE
23 FACILITY PERMIT NO. 15-AA-0311.
24 MR. HOWARD MORRIS, REPRESENTING THE
25 CITY OF BAKERSFIELD, AND MS. DIANA WILSON ARE



1 AGAIN PRESENT TO ANSWER ANY QUESTIONS YOU MAY

2 HAVE. THIS CONCLUDES STAFF PRESENTATION.

3 CHAIRMAN PENNINGTON: QUESTIONS OF STAFF?

4 MR. MORRIS.

5 MR. MORRIS: CHAIRMAN PENNINGTON, MEMBERS

6 OF THE BOARD, GOOD MORNING. MY NAME IS HOWARD

7 MORRIS WITH THE CITY OF BAKERSFIELD. I'M HERE TO

8 SPEAK IN SUPPORT OF THE COMPOSTING PERMIT BEFORE

9 YOU TODAY. IN A NUTSHELL, THE 30-ACRE SITE WAS

10 ORIGINALLY DESIGNED SO THAT 20 ACRES WOULD BE FOR

11 COMPOSTING AND TEN WOULD BE FOR INERT RECYCLING.

12 AND I'M HERE TODAY TO TELL YOU THAT

13 MARKET FORCES HAVE CHANGED. THREE YEARS AGO IT

14 WAS A GREAT IDEA. THERE WERE NOT THAT MANY INERT

15 RECYCLERS IN TOWN, AND A LOT OF THAT MATERIAL WAS

16 GOING TO THE LANDFILL. I'M HAPPY TO REPORT THAT

17 NOW THERE ARE A NUMBER OF PRIVATE COMPANIES THAT

18 HAVE TAKEN OVER.

19 IN FACT, THE PRIVATE COMPANY THAT

20 WAS CONTRACTED FOR THE CITY TO RECYCLE INERTS,

21 GRANITE CONSTRUCTION, TOLD ME THAT THE COST OF

22 MOBILIZATION AND DEMOBILIZATION OF THE ROCK

23 CRUSHING PLANT COST THEM \$150,000, AND THEY GOT IN

24 THEIR MEASLY 35,000 TONS. THAT IS NOT ACCEPTABLE.

25 THEY NEEDED MORE LAND THAN THE 10 ACRES BECAUSE IT



1 IS SIMPLY NOT BIG ENOUGH FOR THEM.
2 HOWEVER, OUR COMPOSTING FACILITY HAS
3 REALLY DRAMATICALLY INCREASED. IN 1996 WE TOOK IN
4 63,000 TONS THROUGH OUR GATES. IN '96-'97, LAST
5 YEAR, IT WAS 74,000 TONS. WE'RE EXPECTING
6 ANYWHERE FROM 85 TO 90,000 TONS THIS FISCAL YEAR
7 AND PERHAPS 95 TO A HUNDRED THOUSAND TONS BY THE
8 YEAR 2000. AND THE REASON FOR THAT IS THAT ONLY
9 HALF OF THE TOWN IS AUTOMATED, SO ABOUT HALF OF
10 THE CURBSIDE RECYCLING IS BROUGHT TO OUR FACILITY.
11 AND ALSO THE CITY IS GROWING BOTH IN
12 TERMS OF POPULATION, BUT ALSO IN TERMS OF REAL
13 LANDSCAPE GROWTH. THE CITY IS ACTUALLY PRETTY NEW
14 IN THAT REGARD. MANY OF THE HOMES HAVE LANDSCAPED
15 ONLY IN THE LAST 10 OR 15 YEARS. SO YOU ARE GOING
16 TO HAVE MORE AND MORE MATURE GROWTH, AND WE
17 BELIEVE A LOT MORE MATERIAL COMING THROUGH OUR
18 GATES.
19 WE'RE ALSO HAPPY TO REPORT THAT
20 WE'RE SELLING ALL THE COMPOST THAT WE PRODUCE, AND
21 WE'RE CONTINUOUSLY GETTING MORE REQUESTS FOR MORE
22 COMPOST. SO ESSENTIALLY WE'VE OUTGROWN OUR
23 PERMIT, AND WE NEED TO EXPAND. IT'S A QUALITY
24 PROBLEM, AND THAT'S WHY I'M HERE TODAY AND
25 WOULDN'T BE SURPRISED IF I COME BACK IN A COUPLE



1 OF YEARS TO ASK FOR EVEN MORE EXPANSION,
2 ESPECIALLY IF THE DELANO ENERGY PLANT GOES DOWN
3 AND WE CAN'T HAVE ACCESS TO THE MATERIAL THAT
4 WE'RE NOW SENDING FOR COGENERATION.
5 SO I GUESS WE'RE JUST A VICTIM OF
6 OUR OWN SUCCESS. AND I'M HERE TO ANSWER ANY
7 QUESTIONS IF YOU WOULD LIKE.

8 CHAIRMAN PENNINGTON: QUESTIONS OF MR.
9 MORRIS? QUESTIONS OF STAFF? IF NOT, THANK YOU,
10 MR. MORRIS. IF NOT, I'LL ENTERTAIN A MOTION.

11 BOARD MEMBER JONES: MAKE A MOTION THAT
12 WE ACCEPT PERMIT DECISION 97-377.

13 BOARD MEMBER FRAZEE: SECOND.

14 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
15 SECONDED. ANY FURTHER DISCUSSION? IF NOT, WILL
16 THE SECRETARY CALL THE ROLL.

17 BOARD SECRETARY:BOARD MEMBER CHESBRO.

18 BOARD MEMBER CHESBRO: AYE.

19 BOARD SECRETARY:FRAZEE.

20 BOARD MEMBER FRAZEE: AYE.

21 BOARD SECRETARY:GOTCH.

22 BOARD MEMBER GOTCH: AYE.

23 BOARD SECRETARY:JONES.

24 BOARD MEMBER JONES: AYE.

25 BOARD SECRETARY:RELIS.



1 BOARD MEMBER RELIS: AYE.
2 BOARD SECRETARY:CHAIRMAN PENNINGTON.
3 CHAIRMAN PENNINGTON: AYE. MOTION
4 CARRIES. WANT TO BREAK NOW, OR DO YOU WANT TO GO
5 ON?
6 BOARD MEMBER CHESBRO: I GUESS IT
7 DEPENDS.
8 CHAIRMAN PENNINGTON: WE'LL TAKE A LUNCH
9 BREAK, BE BACK AT 1:30.
10 (RECESS TAKEN.)
11 CHAIRMAN PENNINGTON: CALL BACK TO ORDER
12 THE AUGUST MEETING OF THE CALIFORNIA INTEGRATED
13 WASTE MANAGEMENT BOARD. STARTING WITH MR. RELIS,
14 DO YOU HAVE ANY EX PARTES?
15 BOARD MEMBER RELIS: NO.
16 CHAIRMAN PENNINGTON: MR. JONES.
17 BOARD MEMBER JONES: NO. SOME COMMENTS,
18 BUT NOTHING.
19 BOARD MEMBER GOTCH: YES. BRIEF
20 CONVERSATION WITH TERRY LEVEILLE REGARDING LEVEE
21 CONSTRUCTION.
22 BOARD MEMBER CHESBRO: I HAD A
23 CONVERSATION WITH GEORGE LARSON REPRESENTING THE
24 CALIFORNIA ASBESTOS MONOFILL ABOUT THE STATUS OF
25 THEIR PERMIT IN THE NEAR FUTURE.



1 BOARD MEMBER GOTCH: I DID ALSO WITH
2 GEORGE LARSON.

3 CHAIRMAN PENNINGTON: TWO GEORGE LARSONS.
4 OKAY.

5 WE'LL MOVE WITH THAT ON TO ITEM 38,
6 CONSIDERATION OF ADOPTION OF THE NEGATIVE
7 DECLARATION AND THE PROPOSED REGULATIONS FOR
8 STORAGE AND CHIPPING AND GRINDING.

9 MS. RICE: THANK YOU, MR. CHAIRMAN AND
10 MEMBERS. BRIAN LARIMORE WILL MAKE A BRIEF
11 PRESENTATION ASSISTED BY ELLIOT BLOCK OF THE LEGAL
12 OFFICE.

13 MR. LARIMORE: GOOD AFTERNOON, MR.
14 CHAIRMAN, BOARD MEMBERS. TO BEGIN, I'D LIKE TO
15 GIVE YOU A BRIEF UPDATE ON WHERE WE ARE IN THE
16 RULEMAKING FOR STORAGE AND CHIPPING AND GRINDING
17 REGULATION.

18 THE BOARD ON FEBRUARY 26TH ADOPTED
19 EMERGENCY REGULATIONS FOR CHIPPING AND GRINDING
20 AND STORAGE FOR ORGANIC MATERIALS, INCLUDING THE
21 STORAGE OF FEEDSTOCK AND GROWTH MEDIUM AT
22 VERMICOMPOSTING ACTIVITIES.

23 THE REGULATIONS WERE APPROVED BY THE
24 OFFICE OF ADMINISTRATIVE LAW AND BECAME EFFECTIVE
25 ON APRIL 7TH OF THIS YEAR. AN EXTENSION OF THE



1 120-DAY TIME PERIOD FOR EMERGENCY REGULATIONS WAS
2 GRANTED BY OAL, AND THE EXTENSION IS THROUGH
3 DECEMBER 1ST OF THIS YEAR.
4 A 45-DAY PUBLIC COMMENT PERIOD AND
5 TWO 15-DAY COMMENT PERIODS HAVE BEEN COMPLETED.
6 THE SECOND 15-DAY COMMENT PERIOD ENDED ON AUGUST
7 22D.
8 APPROXIMATELY 600 INTERESTED PARTIES
9 WAS INCLUDED IN EACH OF THE MAILINGS FOR COMMENT
10 PERIODS. THE FOLLOWING CHANGES WERE MADE FOR THE
11 SECOND 15-DAY COMMENT PERIOD. NO. 1, THE
12 DEFINITION OF MARKET PRODUCT WAS DELETED.
13 COMMENTERS BELIEVED THAT IT WOULD SET A PRECEDENT
14 FOR DEFINING WHAT IS AND ISN'T SOLID WASTE.
15 NO. 2, LANGUAGE WAS ADDED WHICH
16 EMPHASIZES THAT THE BOARD AND LEA'S MAY INSPECT AN
17 ACTIVITY TO VERIFY WHETHER IT IS EXCLUDED FROM THE
18 REGULATIONS AND, IF SUBJECT TO THE REGULATIONS,
19 WHETHER IT IS IN COMPLIANCE. LANGUAGE WAS
20 ADDRESSED WHICH EMPHASIZES THAT THE BOARD AND
21 LEA'S MAY TAKE APPROPRIATE ENFORCEMENT ACTION,
22 INCLUDING THE USE OF A NOTICE AND ORDER FOR
23 VIOLATION OF REGULATIONS FOR STORAGE AND CHIPPING
24 AND GRINDING ACTIVITIES.
25 STAFF RECEIVED THREE COMMENT LETTERS



1 DURING THE SECOND 15-DAY COMMENT PERIOD. THESE
2 INCLUDED COMMENTS OUTSIDE THE SCOPE OF THE
3 REGULATIONS, LETTER OF SUPPORT FROM THE WINE
4 INSTITUTE, AND A RECOMMENDATION FOR REVISION TO
5 THE LANGUAGE IN SECTION 17862.1(C) AND 17862.2(D),
6 WHICH IS ON PAGE 270 OF THE AGENDA PACKET. THAT
7 REGARDS THE ENFORCEABILITY OF THE CHIPPING AND
8 GRINDING AND STORAGE STANDARDS.
9 STAFF RECOMMEND THAT THE LANGUAGE
10 REGARDING ENFORCEABILITY NOT BE REVISED. STAFF
11 BELIEVES THAT LANGUAGE WHICH WAS ADDED TO THE
12 SECOND 15-DAY COMMENT PERIOD ADEQUATELY ADDRESSES
13 ENFORCEABILITY.
14 COMMENTS OUTSIDE THE SCOPE OF THESE
15 REGULATIONS RECEIVED DURING THE COMMENT PERIOD
16 WILL BE CONSIDERED AS PART OF THE ORGANICS
17 REGULATIONS DEVELOPMENT WHICH BEGAN IN MAY
18 SEPARATE FROM THIS RULEMAKING.
19 A NEGATIVE DECLARATION HAS BEEN
20 CIRCULATED TO RESPONSIBLE AGENCIES THROUGH THE
21 STATE CLEARINGHOUSE. THE COMMENT PERIOD FOR THE
22 NEGATIVE DECLARATION ENDED ON AUGUST 25TH AND NO
23 COMMENTS WERE RECEIVED.
24 I ALSO WANT TO MENTION THAT A DRAFT
25 ADVISORY ON THE EMERGENCY REGULATIONS WAS MAILED



1 TO THE LEA'S IN JUNE. THAT ADVISORY WILL BE
2 REVISED TO INCORPORATE THE CHANGES MADE SINCE THAT
3 TIME FOR THE PERMANENT REGULATIONS AND SHOULD BE
4 COMPLETED BY OCTOBER.
5 STAFF RECOMMEND THAT THE BOARD ADOPT
6 THE PROPOSED NEGATIVE DECLARATION AND PERMANENT
7 REGULATIONS FOR STORAGE AND CHIPPING AND GRINDING
8 ACTIVITIES. THIS CONCLUDES MY PRESENTATION. BE
9 HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

10 CHAIRMAN PENNINGTON: THANK YOU. TWO
11 THINGS THAT I FORGOT TO MENTION ON THE EX PARTES.
12 GOT A LETTER FROM VENTURA COUNTY ON THIS ISSUE,
13 AND IT ACTUALLY WAS NOT ADDRESSED, SO WE SHOULD
14 MAKE A RECORD OF IT.
15 AND ALSO, IF THERE'S ANYBODY WHO
16 WANTS TO ADDRESS THE BOARD, THERE'S SOME SPEAKER
17 SLIPS YOU NEED TO FILL OUT AND GIVE TO MS. KELLY.
18 ANY QUESTIONS OF MR. LARIMORE?
19 OKAY. WE'VE GOT MR. EVAN EDGAR WHO WOULD LIKE TO
20 ADDRESS THIS ISSUE.

21 MR. VANDER HEIDEN: GOOD AFTERNOON, CHAIRMAN AND
22 BOARD MEMBERS. MY NAME IS EVAN EDGAR ON BEHALF OF
23 THE CALIFORNIA REFUSE REMOVAL COUNCIL. WE'RE HERE
24 TODAY TO SUPPORT OPTION NO. 1. WE BELIEVE THIS
25 REGULATORY PACKAGE HAS BEEN IN THE MAKING FOR THE



1 LAST YEAR, YEAR AND A HALF, AND WE'VE BEEN VERY
2 SUPPORTIVE OF THE REGULATORY PROCESS SO WE ARE
3 ABLE TO HAVE LEA ADVISORIES, LEA INPUT, AND BE
4 ABLE TO GET A GOOD AND FAIR PACKAGE OUT TO THE
5 REGULATED COMMUNITY.
6 I WANT TO COMMEND CHAIRMAN FRAZEE OF
7 THE PERMITTING AND ENFORCEMENT COMMITTEE FOR
8 REALIZING THE PROBLEMS WE HAD IN THE FIELD AND FOR
9 MEMBER RELIS IN ORDER TO BRING THESE ISSUES TO
10 LIGHT. WE'RE HERE TODAY IN SUPPORT. WHAT WE NEED
11 NOW IS ENFORCEMENT.
12 I BELIEVE THAT ENFORCEMENT IS THE
13 KEY ISSUE WITH ANY REGULATORY PACKAGE. I BELIEVE
14 THE LEA'S HAVE THE LANGUAGE THAT THEY WANTED IN
15 ORDER TO HAVE THE ENFORCEMENT AUTHORITY, AND I
16 BELIEVE THEY DO HAVE THE ENFORCEMENT AUTHORITY TO
17 GO ON SITE AND START ENFORCING. SO WE SUPPORT THE
18 ISSUE FOR THE DRAFT LEA ADVISORY, AND WE URGE YOUR
19 SUPPORT TODAY. THANK YOU.

20 CHAIRMAN PENNINGTON: THANK YOU. ANY
21 QUESTIONS OF MR. EDGAR? IF NOT, ANY DISCUSSION?
22 IF NOT, WE NEED TWO MOTIONS, ONE TO ADOPT THE
23 NEGATIVE DECLARATION, AND THEN WE NEED A MOTION TO
24 ADOPT THE REGULATIONS.

25 BOARD MEMBER JONES: MR. CHAIRMAN, I'LL



1 MAKE A MOTION TO ADOPT RESOLUTION NO. 97-362,
2 WHICH IS THE NEGATIVE DEC FOR THE ADOPTION OF THE
3 PROPOSED REGULATIONS.

4 BOARD MEMBER GOTCH: I'LL SECOND.

5 CHAIRMAN PENNINGTON: OKAY. IT'S BEEN
6 ADOPTED - - OR A MOTION HAS BEEN MADE TO ADOPT
7 RESOLUTION 97-362. IF THERE'S NO FURTHER
8 DISCUSSION, WILL THE SECRETARY PLEASE CALL THE
9 ROLL.

10 BOARD SECRETARY:BOARD MEMBER CHESBRO.

11 BOARD MEMBER CHESBRO: AYE.

12 BOARD SECRETARY:FRAZEE.

13 BOARD MEMBER FRAZEE: AYE.

14 BOARD SECRETARY:GOTCH.

15 BOARD MEMBER GOTCH: AYE.

16 BOARD SECRETARY:JONES.

17 BOARD MEMBER JONES: AYE.

18 BOARD SECRETARY:RELIS.

19 BOARD MEMBER RELIS: AYE.

20 BOARD SECRETARY:CHAIRMAN PENNINGTON.

21 CHAIRMAN PENNINGTON: AYE. MOTION

22 CARRIES. NOW WE NEED A MOTION ON THE PROPOSED
23 REGULATIONS.

24 BOARD MEMBER FRAZEE: I'LL MOVE ADOPTION
25 OF RESOLUTION 97-353.



1 BOARD MEMBER JONES: I'LL SECOND IT.
2 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
3 SECONDED TO ADOPT RESOLUTION 97-353. IS THERE ANY
4 FURTHER DISCUSSION? IF NOT, WILL THE SECRETARY
5 CALL THE ROLL, PLEASE.
6 BOARD SECRETARY:BOARD MEMBER CHESBRO.
7 BOARD MEMBER CHESBRO: AYE.
8 BOARD SECRETARY:FRAZEE.
9 BOARD MEMBER FRAZEE: AYE.
10 BOARD SECRETARY:GOTCH.
11 BOARD MEMBER GOTCH: AYE.
12 BOARD SECRETARY:JONES.
13 BOARD MEMBER JONES: AYE.
14 BOARD SECRETARY:RELIS.
15 BOARD MEMBER RELIS: AYE.
16 BOARD SECRETARY:CHAIRMAN PENNINGTON.
17 CHAIRMAN PENNINGTON: AYE. MOTION
18 CARRIES.
19 MOVE TO ITEM 44 - - NO. WAIT A
20 MINUTE - - ITEM 39, INFORMATION ON AND DISCUSSION
21 OF THE TITLE 27 SOLID WASTE FACILITY PERMITTING
22 PROCESS. DOROTHY RICE.
23 MS. RICE: THANK YOU, MR. CHAIRMAN. DON
24 DIER WILL PROVIDE SOME OPENING REMARKS FOR YOUR
25 DISCUSSION OF THIS ITEM.



1 MR. DIER: THANK YOU, DOROTHY. MR.
2 CHAIRMAN, MEMBERS, THIS ITEM IS INTENDED TO BE A
3 DISCUSSION OF THE PERMITTING PROCESS THAT WILL BE
4 IMPLEMENTED AS A RESULT OF THE ADOPTION OF THE
5 TITLE 27 REGULATIONS THAT BECAME EFFECTIVE ON JULY
6 18TH. AND THIS HAS BEEN DISCUSSED A COUPLE TIMES
7 IN THE P&E COMMITTEE, AND THE COMMITTEE THIS MONTH
8 WANTED TO FORWARD IT TO THE BOARD SO THAT EVERYONE
9 COULD PARTAKE IN THE DISCUSSION.
10 ONE OF THE THINGS - - I THINK I KNOW
11 MYSELF SOMETIMES, AND I THINK WE ALL PROBABLY LOST
12 SIGHT OF ASSEMBLY BILL 1220, WITH ALL THE
13 ATTENTION ON ELIMINATING DUPLICATION AND OVERLAP
14 WITH THE WATER BOARD AND OTHER STATE AGENCIES - -
15 IS THAT ONE OF THE INTENTS OF THAT LEGISLATION WAS
16 ALSO TO ADDRESS OVERLAP AND DUPLICATION BETWEEN
17 THIS BOARD AND LOCAL ENFORCEMENT AGENCIES.
18 AND SO WITH THAT IN MIND, THE
19 REGULATIONS IN TITLE 27 FOR THE PERMITTING PROCESS
20 WERE DEVELOPED TO TRY AND ACHIEVE THAT GOAL. AS A
21 RESULT, THE REGULATIONS HAVE PLACED MORE
22 RESPONSIBILITY WITH THE LEA'S THAN THEY HAVE HAD
23 IN THE PAST. IT REDEFINED AND, I THINK, MORE
24 CLEARLY DEFINED THE ROLE OF THIS BOARD AND THE LEA
25 IN THE PERMITTING PROCESS.



1 MOST SIGNIFICANTLY, I THINK, IS THE
2 PROVISION IN THE REGULATIONS, AND ACTUALLY YOU
3 WILL BE SEEING THESE NEXT MONTH AS OUR FIRST
4 PERMITS UNDER THE NEW TITLE 27 REGULATIONS COME
5 BEFORE THE COMMITTEE AND BOARD NEXT MONTH, IS THAT
6 THE LOCAL ENFORCEMENT AGENCIES WILL BE ACTING ON
7 THE APPLICATION AND PERMIT PACKAGES. THEY WILL BE
8 MAKING A DETERMINATION AND A CERTIFICATION TO THE
9 BOARD ON THE COMPLETENESS AND CORRECTNESS OF THAT
10 PACKAGE.
11 THAT MEANS THAT THEY WILL BE
12 CERTIFYING THAT ALL THE COMPONENTS OF THAT PACKAGE
13 ARE THERE AND, ADDITIONALLY, THAT THE MATERIAL
14 THAT'S INCLUDED IN THAT PACKAGE IS COMPLETE,
15 CORRECT, AND ACCURATE.
16 WITH THAT CERTIFICATION, THEN THE
17 BOARD STAFF WILL EVOLVE INTO A ROLE OF BACKING OUT
18 OF THE DETAILED, DUPLICATIVE REVIEW OF THE
19 TECHNICAL ASPECTS OF THESE PROJECTS. WE WILL BE
20 ENSURING THAT ALL OF THE COMPONENTS OF THAT
21 PACKAGE ARE THERE, AND WE WILL BE REVIEWING AND
22 ENSURING THAT THE PROJECT DESCRIPTION IS
23 CONSISTENT AMONG ALL THE VARIOUS COMPONENTS OF
24 THAT PACKAGE, PRIMARILY THE APPLICATION, THE CEQA
25 DOCUMENTATION, AND ANY LOCAL LAND USE PLANNING



1 DOCUMENTS, AND THE REPORT OF FACILITY INFORMATION
2 THAT ACCOMPANIES THE PERMIT SO THAT WHEN WE BRING
3 THE PACKAGES TO YOU, THE AGENDA ITEMS THEMSELVES
4 MAY NOT LOOK - - WELL, THEY'RE GOING TO LOOK A
5 LITTLE BIT DIFFERENT BECAUSE WE ARE GOING TO BE
6 INDICATING THE LEA CERTIFICATION OF THAT PACKAGE.
7 BUT IT WILL NOT INCLUDE THE DETAILED TECHNICAL
8 REVIEWS OF BOARD STAFF THAT WE'VE HAD IN THE PAST.
9 THAT DOESN'T SAY THAT THAT WON'T BE
10 CONDUCTED. IT CAN BE CONDUCTED AT ANY TIME. AN
11 LEA MAY REQUEST SUCH ASSISTANCE, IN WHICH CASE
12 WE'RE HAPPY TO DO THAT; OR IF THERE IS A VERY
13 CONTROVERSIAL PROJECT COMING BEFORE THE BOARD, WE
14 WOULD LIKELY STILL PERFORM THAT MORE IN-DEPTH
15 REVIEW.
16 OUR INTENT IS TO GIVE MORE
17 RESPONSIBILITY TO THE LOCAL ENFORCEMENT AGENCIES
18 AND, IN TURN, THEN PLACE MORE EMPHASIS ON TRAINING
19 THE LEA'S IN WHAT COMPLETE PACKAGES ARE, IN
20 WRITING PERMITS, AND MORE EMPHASIS IN THE
21 EVALUATION OF THE LEA'S PERFORMANCE SO THAT THAT'S
22 WHERE THE RESOURCES WILL BE SHIFTING.
23 WE THINK THAT THAT FITS WELL WITH
24 THE BOARD'S STRATEGIC PLAN. IT'S BEEN IDENTIFIED
25 AS GOALS AND STRATEGIES WITHIN THE BOARD'S



1 STRATEGIC PLAN, AND IT'S SOMETHING THAT WE'VE
2 REALLY BEEN LOOKING FORWARD TO FOR SOME TIME, TO
3 BE ABLE TO PROVIDE A BETTER SERVICE TO THE LEA'S
4 BY PROVIDING THE TRAINING THAT WE FEEL REALLY
5 RESULTS IN A BETTER PRODUCT RATHER THAN BEING ON
6 THE BACK END OF THE PROCESS, REVIEWING, PERHAPS,
7 THE DETAILS OF PROJECTS AT THE LATE STAGE WHEN
8 THEY GET TO THE BOARD.
9 WE ARE STRIVING TO BE MORE UP-FRONT
10 ON THE PROJECTS BEFORE THE PERMIT EVER ARRIVES AT
11 THE BOARD, TO BE ABLE TO BE SITTING WITH THE LEA,
12 WORKING WITH THEM ON GENERAL ISSUES, BUT EVEN ON
13 SPECIFIC ISSUES WITH REGARD TO A PROJECT THAT THEY
14 MAY BE WORKING ON THAT THEY WANT TO BRING TO THE
15 BOARD.
16 I UNDERSTAND - - I WAS NOT AT THE
17 COMMITTEE MEETING THIS MONTH, BUT I UNDERSTAND
18 THERE WAS SOME DISCUSSION, CONCERN WITH THE
19 PERHAPS ABILITIES . - THE VARYING ABILITIES OR
20 INTERESTS OF LEA'S ACROSS THE STATE. AND THAT'S A
21 CONCERN THAT WE'VE ALWAYS SHARED, AND THAT'S WHY
22 WE WANT TO PUT MORE EMPHASIS IN THE TRAINING
23 ASPECT OF THIS PROGRAM.
24 AND THERE'S ALSO CONCERN ABOUT THE
25 COMPLETENESS OF SOME OF THE PACKAGES THAT WE'VE



1 HAD IN THE PAST. AND WE ARE BEGINNING THIS MONTH
2 AND NEXT MONTH THE TRANSITION PERIOD TO THIS NEW
3 WAY OF DOING PERMITS.
4 AND, AS I UNDERSTAND, IT HAS BEEN
5 RELATED TO ME THAT THERE'S A CONCERN ABOUT HOW WE
6 MIGHT BE ABLE TO DEAL WITH INCOMPLETE PACKAGES
7 THAT MIGHT COME BEFORE THE BOARD. AND THAT'S AN
8 ITEM THAT WE COMMITTED TO REVISIT AND BRING BACK
9 TO P&E COMMITTEE IN OCTOBER, REVISIT AND DISPLAY
10 THE HISTORY OF A FEW OF THOSE ISSUES, ONE OF WHICH
11 WE WORKED ON LAST YEAR WITH REGARD TO ESTABLISHING
12 A FILING DATE FOR APPLICATIONS, AND THEN JUST A
13 BROADER DISCUSSION OF HOW WE WILL DEAL WITH PERMIT
14 PACKAGES THAT MAY NOT NECESSARILY ALWAYS BE
15 COMPLETE. SO WE'LL BE COMING BACK TO COMMITTEE IN
16 OCTOBER WITH THAT.
17 THAT'S, I GUESS, THE INTRODUCTION
18 DOROTHY WAS ALLUDING TO ON THIS ITEM. IT'S A
19 LITTLE BIT OF WHAT WE ARE GOING TO BE LOOKING -
20 WE'RE TRANSITIONING STAFF OVER RIGHT NOW TO THIS
21 NEW PROCESS. WE HAVE REQUIRED OF LEA'S THAT ARE
22 SUBMITTING PERMITS FOR SEPTEMBER CONSIDERATION TO
23 PROVIDE THE CERTIFICATION THAT I MENTIONED AND WE
24 ARE RECEIVING THOSE. AND SO WE WILL BE - - IT WILL
25 BE INTERESTING AS WE BRING THOSE FORWARD IN



1 SEPTEMBER TO DISCUSS THESE ITEMS.
2 WE WILL BE RELYING UPON, AND THIS - -
3 MAYBE NOT IN THE FIRST MONTH, BUT OUR GOAL IS TO
4 TRANSITION TO A POINT WHERE WE'LL BE RELYING MORE
5 UPON THE LEA'S FOR ANY QUESTIONS YOU MAY HAVE ON
6 THE DETAILED ASPECTS OF THE PROJECTS. OUR PRIMARY
7 INTEREST AT STAFF LEVEL WILL BE THAT THE PROJECT
8 IS CONSISTENT ACROSS ALL OF THE REGULATORY
9 DOCUMENTS, THE CEQA - - PRIMARILY THE CEQA
10 DETERMINATION.
11 WE'RE NOT BACKING OUT OF OR IN ANY
12 WAY DIMINISHING OUR ROLE WITH REGARD TO CEQA. WE
13 WILL STILL BE CONDUCTING OUR REVIEWS OF THOSE
14 DOCUMENTS AND COMMENTING ON THOSE DOCUMENTS AND
15 ENSURING THAT THE PROJECT THAT IS DESCRIBED IN THE
16 PERMIT IS CONSISTENT WITH THE CEQA DOCUMENTATION.
17 SO THAT'S IN A NUTSHELL WHERE WE'RE AT. HAPPY TO
18 ANSWER ANY QUESTIONS.

19 CHAIRMAN PENNINGTON: MR. CHESBRO.

20 BOARD MEMBER CHESBRO: WELL, THIS ITEM
21 DEMONSTRATES WHAT IT'S LIKE TO BE ON A SLIPPERY
22 SLOPE IN THAT IT SEEMS LIKE WE'RE GOING SOMEWHERE
23 THAT WE NEVER REALLY DECIDED TO GO, BUT SOMEHOW
24 WE'RE FINDING OURSELVES GOING THERE ANYWAY. I'D
25 APPRECIATE SOME CLARIFICATION ON THE STATUS OF THE



1 ITEM AND ALSO THE REGULATIONS WHICH IT OUTLINES.
2 I'D LIKE TO ASK HAVE WE, IN FACT,
3 ALREADY ADOPTED REGULATIONS THAT PROVIDE FOR A
4 BOARD CONCURRENCE BASED ON A CHECKLIST, OR ARE WE
5 NOW CONSIDERING SUCH REGULATIONS?
6 I'M ALSO A LITTLE BIT CONFUSED BY
7 THE CLAIM THAT THE BOARD IS BASING ITS DECISION ON
8 OUR STRATEGIC PLANNING PROCESS, SPECIFICALLY GOAL
9 3. I DON'T RECALL ANY DISCUSSION OF LESSENING THE
10 PERMITTING AND ENFORCEMENT REVIEW OF PERMITS AS
11 PART OF THE STRATEGIC PLAN.
12 IN FACT, I BELIEVE THAT THERE WAS
13 DISCUSSION ABOUT ATTEMPTING TO STRENGTHEN THAT
14 PROCESS. WE MAY NEED TO REOPEN THE STRATEGIC
15 PLANNING PROCESS IF THAT WAS THE ASSUMPTION THAT
16 WE - - ABOUT WHAT IT WAS THAT WE CONCLUDED.
17 AS BOARD MEMBERS IT'S OUR
18 RESPONSIBILITY TO EVALUATE PERMITS THAT COME
19 BEFORE US. IF OUR STAFF PROVIDE LESS ANALYSIS AND
20 INFORMATION FOR BOARD MEMBERS, I THINK OUR JOB
21 WILL JUST BE THAT MUCH MORE DIFFICULT TRYING TO
22 GET TO THE BOTTOM OF WHETHER WE HAVE ADEQUATE
23 PERMITS BEFORE US. IT APPEARS TO ME THAT THE
24 BOARD STAFF IS SUGGESTING THAT WE'LL NO LONGER
25 LOOK BEYOND THAT CERTIFICATION BY THE LEA OF



1 WHETHER A FACILITY HAS COMPLIED WITH THE
2 APPROPRIATE PERMITTING REQUIREMENTS.
3 AND IT'S BEEN OUR EXPERIENCE ON THIS
4 BOARD THAT SOME, NOT ALL OR EVEN MOST, BUT SOME
5 PERMITS COME FORWARD THAT ARE NOT READY FOR PRIME
6 TIME, AREN'T READY FOR CONSIDERATION BY THIS
7 BOARD. AND I JUST DON'T KNOW HOW WE ARE GOING TO
8 BE ABLE TO MAKE THAT DETERMINATION WITH THIS KIND
9 OF A PROCESS, AND I THINK THAT WE NEED TO CONTINUE
10 TO BE ABLE TO LOOK BEYOND.
11 I THINK THAT CLEARLY WE'VE BEEN ON A
12 PROCESS OF TRYING TO STRENGTHEN THE LEA'S AND
13 STRENGTHEN WHAT WE HAVE BEFORE US SO WE HAVE FEWER
14 OF THOSE SITUATIONS WHERE THE PERMITS PROVIDE US
15 WITH LESS INFORMATION THAN WE NEED IN ORDER TO
16 ACT. BUT THE ASSUMPTION THAT THEY'RE ALL GOING TO
17 BE THAT WAY AND ALL WE NEED TO RELY ON IS THE
18 CERTIFICATION FROM THE LEA, I DON'T BELIEVE THIS
19 BOARD HAS EVER APPROVED IN REGULATIONS OR IN THE
20 STRATEGIC PLAN, AND I'M A LITTLE CONFUSED BY HOW
21 WE HAVE GOTTEN TO THIS POINT.

22 CHAIRMAN PENNINGTON: MS. RICE.

23 MS. RICE: MR. CHESBRO, THANK YOU FOR
24 YOUR REMARKS. OUR UNDERSTANDING OF WHAT THIS ITEM
25 WAS WAS AN INFORMATIONAL ITEM WHERE WE ATTEMPTED



1 TO DESCRIBE HOW WE WOULD VIEW IMPLEMENTATION OF
2 THE RECENTLY ENACTED REGULATIONS IMPLEMENTED IN
3 AB 1220. SO WE ARE ATTEMPTING TO DESCRIBE WHAT WE
4 WOULD VIEW AS IMPLEMENTATION OF REGULATIONS
5 ADOPTED BY THIS BOARD THAT MORE CLEARLY THAN HAS
6 BEEN THE CASE IN THE PAST THOSE REGULATIONS SOUGHT
7 TO DELINEATE THE RESPECTIVE ROLES OF THE LEA, THIS
8 BOARD, STATE WATER RESOURCES CONTROL BOARD, AND
9 OTHER AGENCIES.
10 IF WE HAVE DONE THIS IN A MANNER
11 THAT IS CONFUSING OR YOU FEEL IS NOT AN ACCURATE
12 REFLECTION OF THOSE REGULATIONS, WE'LL BE MORE
13 THAN HAPPY TO SPEND MORE TIME WITH YOU
14 INDIVIDUALLY OR WITH THE BOARD AS A WHOLE
15 DESCRIBING THAT, BUT IT IS OUR VIEW THAT THE
16 AB 1220 REGULATIONS AND THE STATUTE SOUGHT, AS ONE
17 OF THEIR PRIMARY GOALS, TO DESCRIBE MORE CLEARLY
18 THE RESPECTIVE ROLES OF THE STATE AND LOCAL
19 AGENCIES, AND THAT'S WHAT WE'VE ATTEMPTED TO DO.
20 THE STATUTE NOR THE REGULATIONS
21 ATTEMPT TO DIMINISH THE IMPORTANCE OF THIS BOARD'S
22 ACTION OR THE CONTENT OF THAT ACTION. AND I THINK
23 THAT'S MAYBE WHERE OUR COMMUNICATION NEEDS TO BE
24 MORE CLEAR WITH YOU. WE ARE NOT TRYING TO SAY BY
25 THIS THAT THE IMPORTANCE OF WHAT YOU ACT ON WHEN



1 YOU ARE CONCURRING IN A PERMIT HAS CHANGED, JUST
2 THAT STAFF'S ROLE IN REVIEWING WHAT IS SUBMITTED
3 BY AN LEA, WE FEEL, IS BETTER SERVED AND BETTER
4 IMPLEMENTS THE INTENT OF THE LAW AND THE
5 REGULATIONS IF WE WORK UP FRONT TO MAKE SURE THAT
6 THOSE PACKAGES COME IN IN A CLEAN AND THOROUGH
7 MANNER RATHER THAN DEAL WITH THEM, AS DON SAID, ON
8 THE BACK END WHEN THEY'RE BEFORE YOU AND IT'S TOO
9 LATE IN MOST INSTANCES TO CORRECT SOMETHING THAT
10 BEGAN SEVERAL MONTHS PRIOR.
11 SO THE IDEA WOULD BE TO MAKE SURE
12 THAT THINGS COME IN IN A WAY THAT IS JUST AS GOOD
13 AS YOU WOULD EXPECT AT ANY TIME. IT'S JUST A
14 MATTER OF WHO'S DOING THAT STAFF WORK. SO WE DID
15 NOT VIEW THIS AS CHANGING COURSE OR DOING
16 ANYTHING - - PRESENTING ANYTHING INCONSISTENT WITH
17 OUR UNDERSTANDING OF STATUTE AND REGULATION, BUT
18 AGAIN, MAYBE WE HAVEN'T BEEN CLEAR.

19 BOARD MEMBER CHESBRO: WILL THE UP-FRONT
20 REVIEW OR THE UP-FRONT INPUT THAT YOU ARE TALKING
21 ABOUT ELIMINATE THE POSSIBILITY OF INCOMPLETE
22 APPLICATIONS COMING BEFORE THIS BOARD?

23 MS. RICE: WELL, THIS IS A PROCESS
24 INVOLVING PEOPLE AT ALL LEVELS. SO I WOULDN'T
25 WANT TO SAY THAT YOU WILL EVER ELIMINATE, UNDER



1 TODAY'S PROCESS OR THIS PROCESS OR ANY OTHER
2 PROCESS, THE POSSIBILITY THAT YOU WILL GET BEFORE
3 YOU A PERMIT WITHOUT ALL ITS PARTS AND PIECES, BUT
4 YOU HAVE CLEAR AUTHORITY TO OBJECT WHEN ALL THE
5 PARTS AND PIECES AREN'T PRESENT WHEN YOU ARE ASKED
6 TO ACT.

7 BOARD MEMBER CHESBRO: BUT WE'LL BE
8 LACKING THE STAFF ANALYSIS TO DETERMINE THAT.

9 MS. RICE: NO. I THINK OUR UNDERSTANDING
10 WOULD BE, AND I THINK DON TRIED TO INDICATE, ANY
11 TIME THAT WE HAVE A SENSE THAT THERE IS A
12 CONTROVERSIAL PROJECT OR A PROJECT WE ARE NOT
13 SATISFIED WITH THE INFORMATION WE'VE RECEIVED, WE
14 ARE YOUR STAFF, AND WE WILL ALWAYS BE YOUR STAFF,
15 AND WE HAVE AN OBLIGATION TO GIVE YOU THE BEST
16 STAFF WORK WE CAN. SO IF WE FEEL THERE IS AN
17 ISSUE THAT HAS NOT BEEN ADEQUATELY LOOKED INTO,
18 WE'LL DO OUR BEST TO LOOK INTO IT. I DON'T KNOW
19 IF THAT ADEQUATELY RESPONDS TO WHAT YOU'RE
20 SUGGESTING. WE WOULD NOT SIMPLY BRING THE
21 INFORMATION FORWARD AND SAY DEAL WITH IT. WE
22 WOULD DO OUR BEST TO PROVIDE YOU WHAT WE COULD.

23 BOARD MEMBER CHESBRO: THIS JUST SEEMS
24 LIKE A SIGNIFICANT TURNING POINT. I DON'T FEEL
25 THAT WE'VE MADE A CONSCIOUS DECISION TO SAY LET'S



1 TURN IN THAT FASHION. THAT'S MY SENSE. I'M
2 CERTAINLY OPEN TO HEARING - -
3 BOARD MEMBER RELIS: I HAVE A COUPLE OF
4 THOUGHTS GIVEN WHAT MR. CHESBRO SAID AND JUST
5 READING THIS MYSELF. ONE IS MAYBE IT WOULD BE
6 HELPFUL FOR US AT A SUBSEQUENT MEETING TO GO BACK
7 INTO THE STATUTE, YOU KNOW, AND MAKE SURE WE
8 UNDERSTOOD WHAT THE 1220 ARRANGEMENT WAS WITH THE
9 LEA. I KNOW THAT WAS A DIRECTION, BUT JUST
10 COMFORT LEVEL THERE.
11 SECOND, IT SEEMS THAT IT'S HARD, NOT
12 HAVING EXPERIENCED THIS, AND WHAT MR. CHESBRO
13 SAID, ON OCCASIONS WHEN WE'VE RECEIVED LESS THAN
14 ADEQUATE INFORMATION, NOW UNDER THIS ARRANGEMENT
15 WHO'S RESPONSIBLE? SUPPOSE AN LEA BRINGS FORWARD
16 A PERMIT; STAFF HAS RESERVATIONS THAT IT'S
17 INADEQUATE. BUT, YOU KNOW, WHEN YOU HAVE - -
18 RESPONSIBILITY IS ONE OF THOSE - - IT'S BETTER WHEN
19 IT'S - - WHEN YOU'RE FULLY RESPONSIBLE THAN WHEN
20 YOU ARE PARTIALLY RESPONSIBLE IN THE SENSE THAT
21 WHO'S GOT THE ACCOUNTABILITY FOR THE COMPLETENESS?
22 IF WE'RE CLEAR AS TO WHO'S
23 ACCOUNTABLE AND, LET'S SAY, IT ISN'T COMPLETE,
24 WELL, I THINK MR. JONES ALLUDED TO LAST TIME,
25 MAYBE THERE MIGHT BE AN ADJUSTMENT PERIOD WHERE WE



1 HAVE PROJECTS COME FORWARD THAT AREN'T COMPLETE
2 AND THEY DON'T GET CONCURRENCE BECAUSE OF
3 INCOMPLETE INFORMATION. THERE'S A RISK THERE
4 BECAUSE USUALLY, AND WE'RE USED TO OUR STAFF
5 WORKING OVER THE PERMIT OR THE SUBMITTALS TO THE
6 POINT WHERE THEY'RE READY.
7 AND I THINK THERE MAY BE SOME - - IT
8 MIGHT REQUIRE WALKING THROUGH WHAT-IF TYPE
9 SCENARIOS AS TO LEA BRINGS FORWARD A PERMIT, STAFF
10 DOESN'T THINK IT'S COMPLETE, BUT 1220, YOU ARE
11 SAYING, WELL, THAT SHIFT HAS OCCURRED. SO WHERE
12 ARE THE BOUNDARIES OF WHO'S RESPONSIBLE FOR WHAT?
13 MS. RICE: IN A SENSE THAT SAME SITUATION
14 OCCURS TODAY. AS WAS BROUGHT UP IN THE P&E
15 COMMITTEE DISCUSSION, SO MANY OF THESE THINGS ARE
16 A JUDGMENT CALL. STAFF MAY FEEL A PIECE OF
17 INFORMATION IS NOT ADEQUATE; THE LEA MAY FEEL JUST
18 AS STRONGLY THAT IT IS, AND THEY WOULD LIKE TO
19 PRESENT THAT INFORMATION TO THE BOARD. YOU MAY BE
20 HEARING SUCH A SITUATION LATER THIS AFTERNOON.
21 AND THAT HAPPENS EVERY MONTH. AND PERHAPS THAT'S
22 RIGHTLY SO. WE ARE ALL PROFESSIONALS ACTING IN
23 THE BEST OF OUR ABILITY, AND THE LEA, JUST AS OUR
24 STAFF, MAY HAVE A VIEW ABOUT WHAT IS THE RIGHT
25 THING TO DO INTERPRETING THE LAW AND REGULATIONS.



1 WE WOULD VIEW THIS AS A TRANSITIONAL
2 PERIOD. YOU KNOW, AS DON INDICATED, WE'RE NOT
3 GOING TO DO THIS BEGINNING IN SEPTEMBER AND HOLD
4 STRICTLY TO A VERY DIFFERENT PROCESS. IT WILL
5 HAVE TO BE AN EVOLUTION BECAUSE IF PART OF WHAT
6 WE'RE RELYING ON IS TRAINING AND TECHNICAL SUPPORT
7 AT THE FRONT END, WE HAVE NOT HAD TIME TO
8 ADEQUATELY DO THAT YET. SO WE CAN'T ASSUME THAT
9 EVERYONE HAS THE SAME LEVEL OF INFORMATION. THESE
10 ARE NEW REGULATIONS.
11 LEA'S HAVE NOT YET BEEN TRAINED ON
12 THESE REGULATIONS, NOR HAVE BOARD STAFF NOR HAVE
13 YOURSELVES. I THINK A VERY EXCELLENT POINT WAS
14 MADE THAT I THINK THERE'D BE A GOOD PURPOSE SERVED
15 BY US PREPARING AN INFORMATIONAL ITEM WHERE WE
16 WALK THROUGH THE LAW, THROUGH THE REGULATIONS.
17 WE'VE MAYBE PERHAPS JUMPED A STEP HERE WITH THIS
18 ITEM WHERE WE'RE INTO IMPLEMENTATION OF HOW WE
19 WOULD PROPOSE TO BRING PERMITS BEFORE YOU. WE
20 FELT WE NEEDED TO DO THAT BECAUSE THOSE
21 REGULATIONS ARE NOW LAW AND WE DO FEEL OBLIGED TO
22 IMPLEMENT THEM.
23 BUT THERE'S A LOT OF BACKGROUND AS
24 TO WHY WE ARRIVED AT THESE CONCLUSIONS, AND I
25 DON'T THINK WE GAVE YOU THE FULL BENEFIT OF THAT



1 BACKGROUND. AND WE'D BE MORE THAN HAPPY NEXT
2 MONTH OR THE FOLLOWING MONTH WHERE WE WOULD LAY
3 OUT THE SECTIONS OF LAW AND HOW THOSE WERE
4 INTERPRETED VIA THE REGULATIONS AND HOW WE CAME TO
5 THESE CONCLUSIONS ON HOW THE PROCESS WOULD
6 THEREFORE LOOK, AND THEN YOU COULD HAVE A
7 DISCUSSION OF WHETHER YOU FEEL WE'VE RIGHTFULLY
8 INTERPRETED THOSE CHANGES. BE HAPPY TO DO THAT IF
9 THAT WOULD BE OF ASSISTANCE.

10 BOARD MEMBER CHESBRO: I'D CERTAINLY LIKE
11 TO HAVE A MORE IN-DEPTH DISCUSSION. IT WAS NOT MY
12 UNDERSTANDING OF THE REGULATIONS THAT WE ADOPTED,
13 THAT THIS WAS WHAT WE WERE AUTHORIZING.

14 CHAIRMAN PENNINGTON: WHY DON'T WE ASK
15 YOU TO DO THAT AT THE SECOND DAY OF THE BOARD
16 MEETING NEXT MONTH WHERE WE'LL HAVE PLENTY OF TIME
17 TO GO THROUGH THE ENTIRE PACKAGE.

18 MS. RICE: THAT WOULD BE GREAT.

19 CHAIRMAN PENNINGTON: IS THAT SUITABLE
20 WITH BOARD MEMBERS? THANK YOU.

21 BOARD MEMBER JONES: MR. CHAIRMAN, IN THE
22 PROCESS, I'M LEARNING HOW ALL THIS STUFF WORKS.
23 WHEN WE'RE GIVEN THIS INFORMATION AND WE DISCUSS
24 IT, ARE WE ALLOWED - . IS IT PART OF THE PROCESS TO
25 SET UP THE PARAMETERS? CAN WE SET UP WITHIN THE



1 STATUTE THE RULES AND THE PARAMETERS HOW WE WANT
2 TO SEE THINGS?
3 I KNOW PART OF THE DISCUSSION AT THE
4 PERMITS COMMITTEE, AND I ASKED A QUESTION TO A
5 COUPLE OF PRETTY REPUTABLE LEA'S ON THE
6 COMPLETENESS ISSUES THAT MR. RELIS BROUGHT UP. I
7 THINK OF ANOTHER ISSUE THAT HAPPENED LAST MONTH
8 WHERE AN LEA BASICALLY - - EITHER THE LEA OR
9 OPERATOR BASICALLY SAID, "WE MAY NOT BE IN
10 COMPLIANCE, BUT WE'LL TAKE OUR CHANCES WITH THE
11 BOARD."
12 WELL, YOU KNOW, THEY PULLED THAT
13 ITEM. THEY THOUGHT BETTER OF IT AND PULLED IT.
14 BUT WHAT BOTHERS ME ABOUT THIS, AND SOMETHING THAT
15 I'D LIKE YOU TO THINK ABOUT IN THE INFORMATION, IS
16 THAT AN LEA OR IN THE CASE OF - - THERE ARE CASES
17 WHERE THERE'S A LOT OF PEOPLE INVOLVED IN THESE
18 DECISIONS, AND THE LEA PRESENTS A PERMIT KNOWING
19 THAT IT MAY NOT BE COMPLETE AND HOPING THAT IT
20 DOESN'T HAVE A FOUR OH VOTE NOT TO CONCUR.
21 ANYTHING LESS THAN THAT, THAT SAME LEA THAT IS
22 PREPARING AN INCOMPLETE PACKAGE CAN ISSUE THE
23 PERMIT IN 30 DAYS.
24 THAT'S BOTHERSOME TO ME BECAUSE IT'S
25 A REAL WAY OF CREATING INEQUITY. IT'S A REAL WAY



1 OF GETTING SOMETHING DONE AND GOING AROUND
2 EVERYTHING, AND I DON'T THINK THAT WAS THE INTENT
3 OF 1220.
4 SO I THINK THAT IF WE ARE GOING TO
5 GET INFORMATION AS TO WHAT 1220 ACTUALLY
6 PROSCRIBES, WHICH HAS COME UP A FEW TIMES WHEN
7 TALKING ABOUT WATER ISSUES THAT WE CAN'T TALK
8 ABOUT AND THINGS LIKE THAT, MAYBE WE NEED TO LOOK
9 AT THE PARAMETERS - THE RULES THAT WE ARE GOING
10 TO ESTABLISH AS AN AGENCY AS TO HOW WE'RE GOING TO
11 ACCEPT THINGS AND HOW WE'RE GOING TO DEAL WITH
12 THINGS WITHIN STATUTE.
13 AND I THINK THAT NEEDS TO BE PART OF
14 THIS, IF EVERYBODY CAN SEE WHERE I'M GOING. NEEDS
15 TO BE PART OF THAT SECOND-DAY STUFF AND TALK ABOUT
16 THOSE THINGS BECAUSE I DON'T WANT TO BE HELD
17 HOSTAGE BY AN LEA THAT HAS THIS THING FIGURED OUT,
18 JUST LIKE I NEVER WANT TO BE HELD HOSTAGE BY THE
19 LEA OR THE WASTE BOARD WHEN I THOUGHT I HAD IT
20 FIGURED OUT. YOU KNOW, I MEAN IT'S GOT TO BE
21 FAIR. YOU KNOW, IT'S GOT TO BE EQUITABLE. I
22 DON'T LIKE TO BE PUT IN POSITIONS WHERE I HAVE TO
23 NONCONCUR WITH SOMETHING, ESPECIALLY IF IT APPEARS
24 BUREAUCRATIC, BUT, IN FACT, IT'S NOT BUREAUCRATIC.
25 WE HAVE CERTAIN DUTIES THAT WE HAVE TO DO WITH,



1 AND IT'S BOTHERSOME.

2 CHAIRMAN PENNINGTON: I CERTAINLY AGREE.

3 I DON'T LIKE DOING THINGS BY DEFAULT, BUT I THINK

4 THAT YOU CAN COVER A LOT OF THESE AREAS. I THINK

5 IF BOARD MEMBERS HAVE SOME ADDITIONAL QUESTIONS

6 THAT THEY THINK OF IN THE MEANTIME, THAT THEY CAN

7 LET DOROTHY KNOW.

8 MS. RICE: HEARING THIS DISCUSSION, I

9 THINK IT MAY BE HELPFUL WHEN WE GO OVER THE PERMIT

10 ISSUES TO GO OVER THE FULL RANGE OF AB 1220 ISSUES

11 BECAUSE THERE WERE THINGS PLACED IN 1220 TO

12 ATTEMPT TO BALANCE THE KINDS OF CONCERNS YOU WERE

13 RAISING TODAY. I FIRMLY BELIEVE THAT 1220 DID

14 INTEND TO MORE CLEARLY DELINEATE THE ROLE OF THE

15 LEA AND THIS BOARD AND FOR GOOD REASON BECAUSE

16 THERE IS OVERLAP, THERE ARE MORE AREAS WHERE WE

17 COULD BETTER SERVE THE LEA AND THIS BOARD BY

18 HELPING THEM IN OTHER WAYS.

19 ON THE OTHER HAND, 1220 STRENGTHENED

20 AND MADE MORE CLEAR THE GROUNDS ON WHICH YOU

21 SHOULD OBJECT TO PERMITS BY STATING THAT VERY

22 CLEARLY, AND IT ALSO STRENGTHENED THE GROUNDS

23 UNDER WHICH YOU SHOULD BE CONCERNED ABOUT AN LEA'S

24 PERFORMANCE. SO IT MADE CHANGES IN A NUMBER OF

25 WAYS, AND THOSE CHANGES WERE INTENDED TO PROVIDE A



1 BALANCE. AND I THINK IT MAY HELP TO PROVIDE THAT
2 FULL PICTURE.
3 BOARD MEMBER CHESBRO: MR. CHAIRMAN, EVER
4 SINCE I'VE BEEN ON THIS BOARD, IN GENERAL I HAVE
5 BEEN A SUPPORTER OF LEA'S, AND I HAVE BEEN IN
6 FAVOR OF BUILDING THEM UP, EMPOWERING THEM,
7 EQUALIZING THEIR CAPABILITIES TO ELIMINATE
8 INEQUITY, AND I CONTINUE TO FEEL THAT WAY. I ALSO
9 THINK THAT IT CONTINUES TO BE A ROLE FOR THIS
10 BOARD UNTIL WE REACH THE POINT WHERE ACROSS THE
11 BOARD - - AND I DON'T KNOW WHETHER THIS POINT WILL
12 EVER BE REACHED . - ACROSS THE BOARD YOU CAN SAY
13 THAT LEA'S ARE FUNCTIONING ON AN EQUAL BASIS AND
14 ARE CAPABLE ON A CONSTANT BASIS IN ALL CASES.
15 UNTIL THAT HAPPENS, I THINK THIS
16 BOARD CONTINUES TO HAVE A SIGNIFICANT ROLE, AND
17 PERHAPS PART OF THE MOTIVATION AND INCENTIVE FOR
18 LEA'S TO UPGRADE THEMSELVES IS IN PART TO BE ABLE
19 TO SMOOTH THE PERMIT PROCESS AND HAVE LESS
20 COMPLICATIONS WHEN PERMITS COME BEFORE THE
21 INTEGRATED WASTE MANAGEMENT BOARD. BUT I DO THINK
22 THAT REVIEWING THE PERMITS, THE LEA'S WILL REMAIN
23 CENTRAL TO THE REASON WHY THE OLD WASTE BOARD WAS
24 CREATED AND REPLACED WITH THIS BOARD AND GIVEN ITS
25 AUTHORITY, THE PERMITTING AUTHORITY OF THE



1 PREVIOUS SOLID WASTE MANAGEMENT BOARD.
2 AND I THINK WE REALLY HAVE TO
3 EXAMINE THIS VERY CAREFULLY AND CONTINUE TO
4 MAINTAIN THE IMPORTANCE OF OUR ROLE WHILE
5 BALANCING IT IN THE LIGHT OF 1220 WITH THE FACT
6 THAT LEA'S ARE TO BE UPGRADED AND DELEGATED AND
7 GIVEN A GREATER DEGREE OF AUTHORITY, BUT, AGAIN,
8 ONLY IN THE CONTEXT OF IMPROVED CAPABILITY. I
9 THINK WE'RE STILL A WAYS AWAY FROM THE LEVEL OF
10 PERFECTION WHERE WE CAN, YOU KNOW, LIKE PONTIUS
11 PILOT, WASH OUR HANDS OF IT AND SAY LET SOMEBODY
12 ELSE MAKE THE DECISION AND JUST RUBBER STAMP
13 THINGS.

14 BOARD MEMBER RELIS: EXCUSE ME. IF I
15 COULD JUST - - BY WE OR THE BOARD, ARE YOU
16 REFERRING TO THE STAFF ROLE, NOT THE BOARD
17 MEMBERS?

18 BOARD MEMBER CHESBRO: WELL, I'M
19 REFERRING TO THE BOARD, BUT WE ALSO HAVE A - -
20 CONTINUE TO EXPEND A GREAT DEAL OF THE BOARD'S
21 BUDGET ON A STAFF OUT THERE, WHO I THINK - - MY
22 OPINION OF ONE OF THE MAIN REASONS WE DO THAT IS
23 BECAUSE WE DEPEND ON THEM FOR THEIR ANALYSIS. AND
24 WHILE I SOMETIMES DISAGREE WITH THEM AND, YOU
25 KNOW, I'M NOT - - I CLEARLY IN THE VAST MAJORITY OF



1 CASES DEPEND ON THEIR ANALYSIS AND THEIR
2 INFORMATION TO BASE MY DECISIONS ON THE VAST
3 MAJORITY OF PERMITS WHICH I VOTE FOR BECAUSE I
4 FEEL THERE'S BEEN A THOROUGH AND COMPLETE REVIEW
5 AND I CAN HAVE CONFIDENCE IN THAT. AND SO I AM
6 TALKING ABOUT THE BOARD'S AUTHORITY, BUT I THINK
7 THAT OUR ABILITY TO MAKE DECISIONS WELL DEPENDS ON
8 AN ADEQUATELY EMPOWERED STAFF AS WELL.

9 CHAIRMAN PENNINGTON: OKAY.

10 MR. CHANDLER: MR. CHAIRMAN, LET ME JUMP
11 IN HERE AND COMMENT BECAUSE I THINK I'M THE
12 CULPRIT FOR HAVING THIS ITEM BROUGHT TO THE FULL
13 BOARD, AND I THINK I DID SO FOR GOOD REASON, AND
14 THAT WAS WE HAD A VERY GOOD PHILOSOPHICAL
15 DISCUSSION AT THE COMMITTEE MEETING IN PERMITS.
16 AND I CAN SEE THAT AT THE HEART OF THE ISSUE WAS
17 THAT FUNDAMENTALLY BEGINNING DOWN THE COURSE OF,
18 FROM STAFF'S PERSPECTIVE, ATTEMPTING TO ACCURATELY
19 IMPLEMENT THE REGULATIONS UNDER 1220, MORE
20 IMPORTANTLY, MADE CLEAR TO THIS BOARD HOW WE HAVE
21 VIEWED THE CLARIFICATION OF ROLES BETWEEN PERMIT
22 STAFF AND THE LEA.
23 AND I THINK IT'S IMPERATIVE THAT AS
24 WE CONTINUE TO ANALYZE PERHAPS HISTORICALLY THE
25 STATUTE, THE REGULATIONS, AND HOW WE SEE THIS



1 EVOLVING, THAT FUNDAMENTALLY WHERE WE END IS THAT
2 WE HAVE COMPLETE SUPPORT AND CONCURRENCE FROM THIS
3 BOARD WITH AN UNDERSTANDING WITH THE STAFF AS TO
4 JUST HOW THOSE ROLES AND RESPONSIBILITIES ARE
5 GOING TO PLAY OUT.
6 IT WOULD BE AN IMPOSSIBLE SITUATION
7 FOR US TO BE OPERATING UNDER A SET OF ASSUMPTIONS
8 AT THE STAFF LEVEL AND WHAT WE EXPECT THE LEA'S TO
9 DO AND WHERE WE SEE THEIR RESPONSIBILITIES LIE IF
10 WE DON'T HAVE THE SUPPORT AND UNDERSTANDING FROM
11 THE BOARD, AND I HEAR TODAY THAT WE NEED TO DO
12 MORE WORK IN THAT REGARD.
13 HOWEVER, I DO WANT TO TAKE EXCEPTION
14 TO HAVING THIS PROCESS CHARACTERIZED AS ONE WHERE
15 WE ARE ASKING YOU TO WASH YOUR HANDS AND SIMPLY
16 RUBBER STAMP THESE ACTIONS. I TAKE EXCEPTION TO
17 THAT CHARACTERIZATION. AND IT JUST LENDS ME TO
18 UNDERSTAND THAT WE NEED TO DO MORE WORK WITH YOU
19 INDIVIDUALLY AND AS A BOARD SO YOU CAN UNDERSTAND
20 THIS PROPOSAL BECAUSE IT IS NOT A RUBBER STAMP,
21 WASH-YOUR-HANDS PROPOSAL. IN FACT, IT'S FAR FROM
22 THAT.
23 SO WE WILL WORK TOWARDS BRINGING YOU
24 AN ITEM IN SEPTEMBER THAT DOES MORE OF A
25 HISTORICAL POINT OF VIEW. WE ALSO HAVE, AS YOU



1 KNOW, SLATED FOR THE SECOND DAY IN SEPTEMBER AN
2 EXTENSIVE OVERVIEW OF THE FOUR GOALS WITHIN THE
3 STRATEGIC PLAN, SO WE MAY NEED TO LOOK AT POSSIBLY
4 A THIRD DAY OR PUTTING THIS IN THE AFTERNOON OF
5 THE SECOND DAY OR WHAT HAVE YOU. BUT WE - - YOU
6 CAN BET THIS RISES TO THE PRIORITY OF BRINGING IT
7 BACK SO THAT WE GET THE KIND OF UNDERSTANDING OF
8 ROLES BETWEEN LEA'S, BOARD STAFF, AND THIS BOARD
9 AS THE DECISION-MAKING BODY SO THAT WE CAN PROCEED
10 WITH OUR PARTNERS AT THE LOCAL LEVEL.

11 CHAIRMAN PENNINGTON: THANK YOU, MR.
12 CHANDLER. I'M SURE WE ALL LOOK FORWARD TO A FULL
13 WORK SCHEDULE AT THE END OF SEPTEMBER.
14 WE'LL NOW MOVE TO ITEM 44,
15 CONSIDERATION OF AWARD OF CONTRACTS FOR LOAN
16 CLOSING.

17 MR. TRGOVCICH: GOOD AFTERNOON, MR.
18 CHAIRMAN AND MEMBERS. I'M CAREN TRGOVCICH, DEPUTY
19 DIRECTOR OF THE - -

20 CHAIRMAN PENNINGTON: WE'LL PROCEED WITH
21 ITEM 44, CONSIDERATION OF AWARD OF CONTRACTS FOR
22 LOAN CLOSING, LOAN SERVICE, AND SPECIALIZED
23 CREDITOR ASSISTANCE IN SUPPORT OF RECYCLING MARKET
24 DEVELOPMENT REVOLVING LOAN PROGRAM. CAREN
25 TRGOVCICH.



1 MS. TRGOVCICH: GOOD AFTERNOON, MR.
2 CHAIRMAN AND MEMBERS. THIS AFTERNOON WE ARE GOING
3 TO PRESENT A SUMMARY OF THE PROCESS THAT WE WENT
4 THROUGH IN TERMS OF AWARDING OF THE THREE
5 CONTRACTS THAT ARE BEFORE YOU TODAY AND PRESENT
6 THE RESULTS OF THAT AS WELL.
7 I'M GOING TO PROVIDE THE PRINCIPAL
8 PRESENTATION, AND CALVIN YOUNG FROM THE LOAN
9 PROGRAM STAFF IS HERE TO RESPOND TO ANY QUESTIONS
10 AND FOLLOW UP ON ANY FURTHER ELABORATION OF FUTURE
11 PROCESSES OR QUESTIONS YOU MAY HAVE IN THAT AREA.
12 AS YOU WILL REMEMBER, THE BOARD
13 APPROVED CONTRACT CONCEPTS TO COVER BOTH FISCAL
14 YEARS 6-7 AND 7-8 LAST APRIL FOR PURPOSES OF
15 ADMINISTERING CERTAIN PORTIONS OF THE BOARD'S
16 RECYCLING MARKET DEVELOPMENT LOAN PROGRAM.
17 IT WAS THROUGH A SERIES OF
18 EVALUATIONS AT THAT TIME THAT WE MADE A
19 RECOMMENDATION AT THE STAFF LEVEL TO THE BOARD
20 THAT THERE WERE CERTAIN ASPECTS OF THE PROGRAM
21 THAT NEEDED TO BE OUTSOURCED. THOSE THREE AREAS
22 WERE THE CLOSING OF LOANS, AND THAT OCCURS ONCE
23 THE BOARD HAS APPROVED WHICH LOANS WOULD BE FUNDED
24 AT THAT POINT. SO THE ACTUAL DOCUMENTATION AROUND
25 CLOSING. IT INCLUDED THE NEXT STEP IN THE



1 PROCESS, WHICH WAS THE SERVICING OF THE LOANS.
2 THAT ACTIVITY OCCURS ON AN ONGOING BASIS
3 THROUGHOUT THE LIFE OF THE LOAN, INCLUDES SUCH
4 ACTIVITIES AS POSTING PAYMENTS, MONITORING
5 FINANCIAL STATEMENTS, MONITORING INTEREST
6 PAYMENTS, RESPONDING TO NEED FOR CHANGES IN THE
7 ACTUAL LOAN AGREEMENTS, LOAN DOCUMENTS AS IT
8 RELATES TO FUTURE BORROWING CAPABILITY. THERE ARE
9 A VARIETY OF ELEMENTS HERE.
10 THE THIRD AREA THAT WAS CHOSEN TO
11 OUTSOURCE WAS WHAT WE CALL SPECIALIZED CREDITOR
12 ASSISTANCE OR WHAT WE REFER TO AS FORECLOSURE
13 WORK. AND THAT INCLUDES THE - . ALL THE ACTIVITIES
14 THAT ARE NECESSARY ONCE A DETERMINATION IS MADE
15 THAT A LOAN NEEDED TO BE PURSUED AND CALLED IN AND
16 WHAT HAS TO OCCUR TO BE ABLE TO SECURE WHATEVER
17 PROPERTY, EQUIPMENT THAT THE BOARD HAS BEHIND THAT
18 LOAN OR ANY OTHER LETTERS OF CREDIT OR OTHER
19 DOCUMENTATION IN SUPPORT OF A LOAN TO PROVIDE THE
20 BOARD SECURITY AROUND THAT LENDING DECISION THAT
21 IT MADE.
22 THOSE THREE CONTRACTS WERE THEN
23 SUBSEQUENTLY ADVERTISED, AND THEY WERE ADVERTISED
24 ON JULY 9TH. THE CLOSING CONTRACT IN THE AMOUNT
25 OF \$200,000; SERVICING IN THE AMOUNT OF \$225,000;



1 AND SPECIALIZED CREDITOR ASSISTANCE IN THE AMOUNT
2 OF \$250,000. THOSE CONTRACTS WERE ADVERTISED FOR
3 A PERIOD OF THREE WEEKS. THERE WAS A BIDDER'S
4 CONFERENCE THAT WAS HELD ON JULY 25TH, AND THE
5 BIDS THAT WERE RECEIVED WERE THEN OPENED ON THE
6 MORNING OR AFTERNOON OF AUGUST 4TH.
7 THIS WAS AN IFB PROCESS, INVITATION
8 FOR BIDS, SO BIDS ARE OPENED AT A SPECIFIED TIME.
9 THEN THE STAFFS GO BACK AND ANALYZE WHETHER OR NOT
10 THE LOW BIDDER MET THE MINIMUM QUALIFICATIONS,
11 BOTH AS IT PERTAINS TO THE SPECIFIC SERVICE BEING
12 REQUESTED AND THE EXPERIENCE THAT WAS BEING
13 REQUIRED BEHIND THAT SERVICE, AS WELL AS THE
14 BIDDER'S COMPLIANCE WITH THE STATE'S M/WBE
15 REQUIREMENTS, MINORITY AND WOMEN OWNED BUSINESS
16 REQUIREMENTS.
17 WE RECEIVED THREE LOW BIDS, ONE FOR
18 EACH OF THE THREE CONTRACTS THAT WERE THEN
19 ANALYZED ONCE THOSE BIDS WERE OPENED ON AUGUST
20 4TH. FOR PURPOSES OF THE LOAN CLOSING CONTRACT,
21 THE LOW BIDDER - - I'M GOING TO AVOID STATING INTO
22 THE RECORD WHO THE LOW BIDDER WAS AT THIS POINT
23 AND KEEP THAT OPEN ENDED UNTIL WE HAVE FURTHER
24 DISCUSSIONS AROUND THE BOARD'S POTENTIAL ACTION.
25 THE LOW BIDDER SUBMITTED A BID OF



1 \$132,725. THE LOW BID WAS BASED UPON A
2 HYPOTHETICAL SCENARIO THAT WAS INCLUDED IN THE BID
3 PACKAGE, 50 ALTHOUGH THE LOW BID WAS 133,000 AND
4 CHANGE, THE ACTUAL CONTRACT AWARD AMOUNT WOULD
5 STILL BE FOR THE \$200,000 SINCE THIS WAS A
6 HYPOTHETICAL AND WE WOULD BE AWARDING A CONTRACT
7 UP TO THAT \$200,000 AMOUNT.
8 THE LOW BIDDER'S MINIMUM
9 QUALIFICATIONS WERE THEN EXAMINED, AS WELL AS
10 COMPLIANCE WITH M/WBE, AND IT WAS DETERMINED THAT
11 THAT LOW BIDDER DID NOT COMPLY WITH THE STATE'S
12 M/WBE REQUIREMENTS. WE WENT THROUGH A NUMBER OF
13 SCENARIOS WITH THE DEPARTMENT OF GENERAL SERVICES
14 TO DETERMINE IF WE COULD POSSIBLY FIND A WAY TO
15 BRING THIS LOW BIDDER IN, AND ALL OF THE DIFFERENT
16 AVENUES THAT WE WENT DOWN WE WERE NOT SUCCESSFUL
17 IN THAT ENDEAVOR.
18 WE THEN WENT TO THE NEXT LOW BIDDER,
19 AND IT WAS DETERMINED THAT THAT LOW BIDDER AS WELL
20 COULD NOT SUBMIT APPROPRIATE DOCUMENTATION TO
21 SUPPORT THE BID PACKAGE AT THIS TIME. SO AS IT
22 RELATES TO THIS FIRST CONTRACT ON LOAN CLOSING, IT
23 WILL BE THE STAFF RECOMMENDATION THAT SINCE THE
24 BIDDERS DID NOT MEET EITHER THE STATE M/WBE
25 QUALIFICATIONS OR THE CONTRACT'S MINIMUM



1 QUALIFICATIONS PERTAINING TO EXPERTISE, THAT THERE
2 THERE'S NO RECOMMENDATION OF AWARD AT THIS TIME,
3 AND WE WILL BE PURSUING RELEASING THIS CONTRACT TO
4 BE REBID FOR A MINIMUM OF A FOUR-WEEK PERIOD
5 BEGINNING THIS FRIDAY. SO THAT IS THE PROPOSAL AS
6 IT RELATES TO THE LOAN CLOSING CONTRACT.
7 WITH RESPECT TO LOAN SERVICING, WE
8 RECEIVED A LOW BID OF \$208,000. THAT BID PACKAGE
9 WAS THEN EXAMINED BOTH FOR PURPOSES OF MEETING THE
10 STATE'S M/WBE REQUIREMENTS AND MQ'S UNDER THE
11 CONTRACT. THIS BIDDER WAS FOUND TO BE ACCEPTABLE.
12 SO AT THIS TIME I WILL STATE THAT THAT BIDDER IS
13 AMERICAN RIVER BANK. THEY CAME IN, ONCE AGAIN,
14 WITH THE LOW BID OF \$208,000. SINCE THAT, ONCE
15 AGAIN, WAS A HYPOTHETICAL, THE CONTRACT AWARD
16 AMOUNT WILL BE RECOMMENDED NOT TO EXCEED \$225,000,
17 WHICH WAS THE CONTRACT CONCEPT APPROVAL AMOUNT
18 MADE BY THE BOARD LAST APRIL.
19 THE THIRD CONTRACT, THE SPECIALIZED
20 CREDITOR ASSISTANCE, THE LOW BID WAS OPENED, ONCE
21 AGAIN, ON AUGUST 4TH. THE LOW BID RECEIVED WAS
22 FOR \$129,125. WE WENT THROUGH THE STANDARD
23 EVALUATION PROCESS THAT I DESCRIBED FOR THE PRIOR
24 TWO CONTRACTS, AND THE LOW BIDDER IN THIS INSTANCE
25 WAS DETERMINED NOT TO MEET THE MINIMUM



1 QUALIFICATIONS SPECIFIED FOR THIS TYPE OF SERVICE
2 TO BE PERFORMED.
3 I'D LIKE JUST TO SPEND A COUPLE
4 MINUTES ON THIS CONTRACT. CURRENTLY THE BOARD HAS
5 UNDER RETAINER THE SERVICES OF AN OUTSIDE LEGAL
6 COUNSEL. THAT OUTSIDE LEGAL COUNSEL CURRENTLY
7 PROVIDES LEGAL SUPPORT AS IT RELATES TO OUR LOAN
8 PROGRAM WITH RESPECT TO ORIGINATION WORK AND
9 FORECLOSURE WORK. WE PURSUED A COMPETITIVE BID
10 FOR THIS SERVICE FOR TWO REASONS. ONE, TO PROVIDE
11 MORE DIVERSITY OR OPPORTUNITY IN THIS PROGRAM TO
12 OTHER VENDORS; BUT, TWO, MORE IMPORTANTLY, BECAUSE
13 WE WANT TO SOLICIT ANY INTEREST THAT MAY EXIST ON
14 THE PART OF OUR VENDOR TO PROVIDE BOTH THE
15 SERVICING AND THE FORECLOSURE SERVICES FOR THIS
16 PROGRAM, AND THAT WAS NOT FORTHCOMING.
17 THE LOW BIDDER UNDER THIS CONTRACT
18 WAS NOT AMERICAN RIVER BANK THAT IS THE LOW BIDDER
19 UNDER THE SERVICING CONTRACT THAT WE ARE
20 RECOMMENDING FOR AWARD. THEREFORE, WHAT THE STAFF
21 ARE RECOMMENDING UNDER THE SPECIALIZED CREDITOR
22 ASSISTANCE CONTRACT IS THAT, ONCE AGAIN, NO
23 CONTRACT WILL BE AWARDED HERE. BUT THE STAFF OF
24 THE LEGAL OFFICE WILL GO BACK AND SUBMIT A
25 CONTRACT CONCEPT, AND I BELIEVE THAT WILL BE ON



1 THE ADMINISTRATION COMMITTEE AGENDA IN SEPTEMBER,
2 THAT WILL COMBINE THE ORIGINATION AND FORECLOSURE
3 WORK THAT IS CURRENTLY BEING DONE INTO A SINGLE
4 LEGAL SERVICES AGREEMENT, AND THAT WILL BE BROUGHT
5 FORWARD AS A CONCEPT FOR APPROVAL AT YOUR
6 SEPTEMBER ADMINISTRATION COMMITTEE AND BOARD
7 MEETINGS.
8 SO TO SUMMARIZE, AND THEN I'LL BE
9 HAPPY TO ANSWER ANY QUESTIONS, AND CALVIN WILL AS
10 WELL, WHAT WE ARE RECOMMENDING - - AND I BELIEVE
11 THAT THERE IS A REVISED RESOLUTION - - THE
12 RESOLUTION THAT IS IN YOUR PACKET RECOMMENDED
13 AWARD OF ALL THREE CONTRACTS BECAUSE AT THE TIME
14 THE ITEM WENT TO PRINT, WE HAD NOT COMPLETED THE
15 EVALUATION OF THE LOW BIDDERS FOR EACH OF THE
16 THREE CONTRACTS. SO THE REVISED RESOLUTION, WHICH
17 SHOULD HAVE JUST BEEN HANDED OUT MARKED PAGE 334
18 AT THE BOTTOM, WOULD SHOW THE BOARD APPROVING A
19 SINGLE CONTRACT CONCEPT, AND THAT WOULD BE THE
20 LOAN SERVICING CONTRACT FOR \$225,000.
21 SO A AND C UNDER ALL THREE WHEREASES
22 AND THEREFORE BE IT RESOLVED ARE STRICKEN, AND WE
23 REMAIN WITH B, WHICH IS LOAN SERVICING. SO THE
24 ACTION BEFORE YOU WOULD BE TO AWARD THE LOAN
25 SERVICING CONTRACT TO AMERICAN RIVER BANK IN AN



1 AMOUNT NOT TO EXCEED \$225,000. AND WE WILL BE
2 GOING BACK OUT TO BID ON THE LOAN CLOSING
3 CONTRACT, AND THE LEGAL OFFICE WILL BE PURSUING A
4 NEW CONCEPT THAT WILL COME BEFORE YOU IN THE NEXT
5 MONTH AROUND THE SPECIALIZED CREDITOR ASSISTANCE
6 CONCEPT. AND THAT CONCLUDES STAFF'S PRESENTATION.

7 CHAIRMAN PENNINGTON: QUESTIONS?

8 BOARD MEMBER FRAZEE: IS THERE ANY WAY TO
9 QUALIFY THESE BIDDERS PREBID SO THAT YOU DON'T GO
10 THROUGH THIS EXTENSIVE REVIEW OF BIDS AND THEN TO
11 DISQUALIFY? SEEMS LIKE ON THE M/WBE THING, THAT'S
12 PRETTY CLEAR-CUT. YOU COULD WEED OUT ALL THE
13 POTENTIAL BIDDERS ON THAT ONE BEFORE YOU ACCEPT
14 BIDS.

15 MS. TRGOVCICH: SINCE THIS IS AN IFB AS
16 OPPOSED TO A REQUEST FOR PROPOSALS, IF THE LOW
17 BIDDER IS DETERMINED TO MEET THE MQ'S, WE DO NO
18 EVALUATION OF ANY SUBSEQUENT BID PACKAGES. SO IF
19 THE LOW BIDDER FITS OUR FRAMEWORK BOTH IN TERMS OF
20 THE STATE M/WBE REQUIREMENTS AS WELL AS THE MQ'S
21 FOR THE CONTRACT ITSELF, WE DO NOT LOOK AT ANY OF
22 THE OTHER BID PACKAGES. IT REALLY IS INTENDED TO
23 BE A STREAMLINED PROCESS, BUT IN THIS CASE IT
24 DIDN'T WORK VERY WELL.

25 BOARD MEMBER RELIS: MR. CHAIR, FOR THE



1 BENEFIT OF THOSE IN THE AUDIENCE, COULD YOU

2 EXPLAIN WHAT M/WBE AND MQ ARE?

3 MS. TRGOVCICH: MINORITY AND WOMEN OWNED

4 BUSINESS, AND THOSE ARE REQUIREMENTS THAT THE

5 CONTRACTOR MUST DEMONSTRATE IN TERMS OF MEETING

6 CERTAIN CRITERIA TOWARDS PROVIDING CONTRACTING

7 SERVICES UNDER THAT PARTICULAR CONTRACT TO THOSE

8 TYPES OF BUSINESSES. AND MQ'S ARE MINIMUM

9 QUALIFICATIONS, AND THOSE ARE SPECIFIED IN THE BID

10 PACKAGES.

11 CHAIRMAN PENNINGTON: I TAKE IT THAT YOUR

12 ANSWER TO MR. FRAZEE IS THAT IT'S QUICKER TO LOOK

13 AT THE BID AND THEN DETERMINE WHETHER THEY'RE

14 QUALIFIED?

15 MS. TRGOVCICH: AS OPPOSED TO LOOKING AT

16 ALL THE BID PACKAGES. IF OUR LOW BIDDER TURNS OUT

17 TO MEET THE MQ'S, THEN WE ONLY HAD TO LOOK AT A

18 SINGLE BID PACKAGE.

19 CHAIRMAN PENNINGTON: AND IN THE CASE OF

20 LOAN CLOSING, WHERE YOU HAD TWO BIDS RECEIVED,

21 THEN YOU AUTOMATICALLY GO TO THE NEXT HIGHEST

22 BIDDER.

23 MS. TRGOVCICH: YOU KEEP GOING TO THE

24 NEXT HIGHEST BIDDER.

25 CHAIRMAN PENNINGTON: OKAY.



1 BOARD MEMBER RELIS: MR. CHAIR, IF
2 THERE'S NO ONE SPEAKING TO THIS, I'M PREPARED TO
3 MOVE THE STAFF RESOLUTION 97-38 CONCERNING THE
4 LOAN SERVICING CONTRACT.

5 CHAIRMAN PENNINGTON: 97-378.

6 BOARD MEMBER RELIS: 97-378, YES.

7 CHAIRMAN PENNINGTON: I'LL SECOND THAT.

8 IF THERE'S NO FURTHER DISCUSSION, WILL THE
9 SECRETARY CALL THE ROLL.

10 BOARD SECRETARY:BOARD MEMBER CHESBRO.

11 BOARD MEMBER CHESBRO: AYE.

12 BOARD SECRETARY:FRAZEE.

13 BOARD MEMBER FRAZEE: AYE.

14 BOARD SECRETARY:GOTCH.

15 BOARD MEMBER GOTCH: AYE.

16 BOARD SECRETARY:JONES.

17 BOARD MEMBER JONES: AYE.

18 BOARD SECRETARY:RELIS.

19 BOARD MEMBER RELIS: AYE.

20 BOARD SECRETARY:CHAIRMAN PENNINGTON.

21 CHAIRMAN PENNINGTON: AYE. MOTION

22 CARRIES.

23 MOVE ON TO ITEM NO. 45,

24 CONSIDERATION OF STAFF RECOMMENDATIONS ON THE

25 AMENDMENTS TO THE NONDISPOSAL ELEMENT FOR SANTA



1 CLARA COUNTY.

2 MS. FRIEDMAN: GOOD AFTERNOON, CHAIRMAN
3 PENNINGTON AND BOARD MEMBERS. LORRAINE VAN
4 KEKERIX WILL MAKE THE PRESENTATION FOR STAFF.

5 MS. VAN KEKERIX: I GET TO SPEAK TWICE.
6 THIS ITEM IS COMING DIRECTLY TO THE BOARD AS STAFF
7 DID NOT HAVE THE INFORMATION PRIOR TO THE DEADLINE
8 FOR THE PLANNING COMMITTEE. IF IT WAS AT THE
9 PLANNING COMMITTEE, WE'D BE RECOMMENDING THAT IT
10 GO ON THE CONSENT FOR THE PLANNING COMMITTEE.

11 BASICALLY SANTA CLARA COUNTY NEEDED
12 TO AMEND THEIR NONDISPOSAL FACILITY ELEMENT TO
13 INCLUDE THE Z-BEST COMPOSTING FACILITY, AND THEY
14 DID THIS ON AUGUST THE 5TH OF 1997, AND WE
15 RECOMMEND APPROVAL OF THIS AMENDMENT TO THE NDFE.

16 CHAIRMAN PENNINGTON: OKAY. ANY
17 QUESTIONS OF STAFF? IF THERE'S NO QUESTIONS, I'LL
18 ENTERTAIN A MOTION.

19 BOARD MEMBER FRAZEE: I'LL MOVE ADOPTION
20 OF RESOLUTION 97-401.

21 BOARD MEMBER GOTCH: I'LL SECOND.

22 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
23 SECONDED TO ADOPT RESOLUTION 97-401. IF THERE BE
24 NO FURTHER DISCUSSION, WILL THE SECRETARY CALL THE
25 ROLL.



1 BOARD SECRETARY:BOARD MEMBER CHESBRO.
2 BOARD MEMBER CHESBRO: AYE.
3 BOARD SECRETARY:FRAZEE.
4 BOARD MEMBER FRAZEE: AYE.
5 BOARD SECRETARY:GOTCH.
6 BOARD MEMBER GOTCH: AYE.
7 BOARD SECRETARY:JONES.
8 BOARD MEMBER JONES: AYE.
9 BOARD SECRETARY:RELIS.
10 BOARD MEMBER RELIS: AYE.
11 BOARD SECRETARY:CHAIRMAN PENNINGTON.
12 CHAIRMAN PENNINGTON: AYE. MOTION
13 CARRIES.
14 MOVE TO ITEM 46, CONSIDERATION OF A
15 NEW STANDARDIZED COMPOST PERMIT FOR Z-BEST COMPOST
16 FACILITY IN SANTA CLARA COUNTY.
17 MS. RICE: THANK YOU, MR. CHAIRMAN AND
18 MEMBERS. JON WHITEHILL WILL MAKE THE STAFF
19 PRESENTATION ASSISTED BY JIM TOKARZ WITH THE LOCAL
20 ENFORCEMENT AGENCY.
21 MR. WHITEHILL: GOOD AFTERNOON, MR.
22 CHAIRMAN, BOARD MEMBERS. THIS ITEM IS FOR
23 CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A
24 STANDARDIZED PERMIT FOR Z-BEST COMPOST FACILITY IN
25 SANTA CLARA COUNTY. ZANKER ROAD RESOURCES



1 MANAGEMENT LIMITED PROPOSES TO DEVELOP AND OPERATE
2 A GREEN WASTE AND AGRICULTURAL MATERIAL COMPOST
3 FACILITY IN AN UNINCORPORATED AREA OF SOUTHERN
4 SANTA CLARA COUNTY USING AN AERATED WINDROW
5 METHOD.
6 THE OPERATOR WILL ALSO INSTALL A
7 15-ACRE ALL-WEATHER SURFACE FOR COMPOSTING
8 PROCESSING DURING PERIODS OF WET WEATHER. THE
9 FACILITY WILL BE DESIGNED TO PROCESS AN AVERAGE OF
10 500 TONS OF MATERIAL PER DAY OR 500,000 CUBIC
11 YARDS OF MATERIAL PER YEAR.
12 AT THE TIME THE AGENDA ITEM WAS
13 PREPARED, THE PROPOSED PERMIT HAD NOT YET BEEN
14 SUBMITTED. IF YOU NOTICE IN THE AGENDA ITEM, AT
15 THE TIME THE AGENDA ITEM WAS PREPARED, THEY
16 ESTIMATED THAT THE SITE WOULD BE PERMITTED FOR
17 450,000 CUBIC YARDS OF COMPOST ON SITE AT ANY ONE
18 TIME. WHEN WE GOT THE PROPOSED PERMIT, IT TURNS
19 OUT THAT THEY WERE ABLE TO PERMIT THE FACILITY FOR
20 500,000 CUBIC YARDS OF COMPOST MATERIAL ON SITE AT
21 ANY ONE TIME.
22 WE RECEIVED A PROPOSED PERMIT ON
23 AUGUST 19TH, AND BOARD STAFF IS NOW PREPARED TO
24 MAKE A RECOMMENDATION BASED ON THE FOLLOWING BOARD
25 AND LEA FINDINGS. FIRST, THE INTEGRATED WASTE



1 MANAGEMENT PLAN WAS APPROVED ON JUNE OF 1996. IN
2 ORDER FOR THE BOARD TO CONCUR IN THE NEW OR
3 EXPANDED FACILITY PERMIT, WE MUST - - THE FACILITY
4 MUST BE IDENTIFIED IN THE NONDISPOSAL FACILITY
5 ELEMENT THAT WE APPROVED IN THE INTEGRATED WASTE
6 MANAGEMENT PLAN.
7 AS MENTIONED BEFORE, EARLIER THIS
8 MONTH ON AUGUST 5TH, THE COUNTY AMENDED THE
9 NONDISPOSAL FACILITY ELEMENT TO INCLUDE THE
10 PROPOSED COMPOST FACILITY. NOW THAT THE BOARD HAS
11 VERY RECENTLY APPROVED THE ELEMENT AMENDMENT, THIS
12 REQUIREMENT HAS BEEN MET.
13 SECOND, THE LEAD AGENCY APPROVED A
14 MITIGATED NEGATIVE DECLARATION ON JUNE 5TH OF
15 1997, SO THE REQUIREMENTS OF THE CALIFORNIA
16 ENVIRONMENTAL QUALITY ACT HAVE BEEN COMPLIED WITH.
17 THE PROPOSED PERMIT IS CONSISTENT WITH CEQA AND
18 THE STANDARDS ADOPTED BY THE BOARD. OPERATION AS
19 DESCRIBED IN THE RCSI IS EXPECTED TO OPERATE IN
20 COMPLIANCE WITH STATE MINIMUM STANDARDS.
21 IN CONCLUSION, STAFF HAVE REVIEWED
22 THE PROPOSED PERMIT AND SUPPORTING DOCUMENTATION
23 AND FOUND THEM TO BE ACCEPTABLE. STAFF RECOMMEND
24 THAT THE BOARD ADOPT RESOLUTION NO. 97-352,
25 CONCURRING IN THE ISSUANCE OF SOLID WASTE FACILITY



1 PERMIT NO. 43-AA-0015. THE PERMIT AND RESOLUTION
2 WERE DISTRIBUTED AFTER THE ITEM WENT TO PRINT.
3 MATT COTTON AND GREG RYAN,
4 REPRESENTING THE OPERATOR, ARE BOTH HERE IF YOU
5 HAVE ANY QUESTIONS. TIM TOKARZ, REPRESENTING THE
6 LEA, IS SITTING TO MY RIGHT.
7 I'D ALSO LIKE TO AT THIS POINT
8 ACKNOWLEDGE THE COORDINATED EFFORTS OF JIM TOKARZ
9 AND MICHELLE LAWRENCE AT THE BOARD'S OLA, OFFICE
10 OF LOCAL ASSISTANCE, AND MIKE PERRY OF THE COUNTY
11 WASTE MANAGEMENT PLANNING DEPARTMENT FOR WORKING
12 TOGETHER TO GET THE NDFE AMENDMENT COMPLETE IN
13 TIME FOR THE PERMIT TO GO FORWARD. THAT CONCLUDES
14 MY PRESENTATION.

15 CHAIRMAN PENNINGTON: THANK YOU. ANY
16 QUESTIONS OF STAFF OR LEA OR THE . -

17 BOARD MEMBER RELIS: MR. CHAIR, I HAVE A
18 COUPLE OF QUESTIONS. ONE IS WHAT HAS BEEN THE
19 HISTORICAL OPERATING LEVEL AT THIS FACILITY?

20 MR. WHITEHILL: IT'S A BRAND NEW
21 FACILITY.

22 BOARD MEMBER RELIS: BRAND NEW. I THINK
23 I GOT IT CONFUSED WITH ZANKER.

24 MR. TOKARZ: ZANKER ROAD LANDFILL .

25 BOARD MEMBER RELIS: BRAND NEW. BECAUSE



1 THIS IS 150,000 TONS OR 500,000 CUBIC YARDS.

2 MR. TOKARZ: CORRECT.

3 BOARD MEMBER RELIS: ABOUT AS BIG AS
4 EXISTS IN CALIFORNIA?

5 MR. TOKARZ: PRETTY BIG.

6 BOARD MEMBER RELIS: I'M NOT FAMILIAR
7 WITH THE SITE AREA.

8 MR. TOKARZ: THIS IS VERY RURAL SOUTHERN
9 SANTA CLARA COUNTY BORDERED BY SAN BERNARDINO
10 COUNTY, VERY LITTLE RESIDENTIAL AREA AROUND THERE.

11 BOARD MEMBER RELIS: AND THEN THERE WILL
12 BE 15 ACRES THAT WILL BE ALL-WEATHER SURFACE, AND
13 THEN I NOTE IN THE DRAWING IT SAYS COMPACTED AREA.
14 ARE THEY SEPARATE? ONE AREA IS COMPACTED, OR IS
15 THE WHOLE - -

16 MR. TOKARZ: ROCK AREA, YOU'RE TALKING
17 ABOUT, THE 15 ACRES?

18 BOARD MEMBER RELIS: WELL, WE JUST GOT
19 THIS, AND I'M NOT ALL THAT FAMILIAR. IT SAYS AREA
20 AND COMPACTED AREA ON PAGE 3.

21 MR. TOKARZ: COMPACTED SOIL THERE IS
22 SEPARATE, NOT INCLUDED IN THE 15 ACRES.

23 BOARD MEMBER RELIS: SO IS THAT - - THAT
24 WILL ALSO BE WORKED AS WINDROWS?

25 MR. TOKARZ: DURING THE DRY SEASON.



1 BOARD MEMBER RELIS: I'M JUST TRYING TO
2 UNDERSTAND THE OPERATION.

3 MR. TOKARZ: THE USE PERMIT SAYS
4 COMPOSTING IN THE ROCK AREA DURING THE WET SEASON.

5 BOARD MEMBER RELIS: WELL, THIS IS QUITE
6 AN IMPRESSIVE UNDERTAKING. IT'S GOOD.

7 CHAIRMAN PENNINGTON: ANY FURTHER
8 QUESTIONS?

9 BOARD MEMBER JONES: IF THERE AREN'T ANY
10 FURTHER QUESTIONS, MR. CHAIRMAN, I'D LIKE TO MAKE
11 A MOTION.

12 BOARD MEMBER CHESBRO: SECOND.

13 BOARD MEMBER JONES: I'LL MAKE ANY
14 MOTION? THANKS, WESLEY.

15 BOARD MEMBER CHESBRO: IT'S CALLED TRUST.

16 BOARD MEMBER JONES: I MAKE A MOTION THAT
17 WE ADOPT RESOLUTION 97-352.

18 CHAIRMAN PENNINGTON: MR. CHESBRO
19 SECONDS. IF THERE'S NO FURTHER DISCUSSION, WILL
20 THE SECRETARY CALL THE ROLL, PLEASE.

21 BOARD SECRETARY:BOARD MEMBER CHESBRO.

22 BOARD MEMBER CHESBRO: AYE.

23 BOARD SECRETARY:FRAZEE.

24 BOARD MEMBER FRAZEE: AYE.

25 BOARD SECRETARY:GOTCH.



1 BOARD MEMBER GOTCH: AYE.
2 BOARD SECRETARY: JONES.
3 BOARD MEMBER JONES: AYE.
4 BOARD SECRETARY: RELIS.
5 BOARD MEMBER RELIS: AYE.
6 BOARD SECRETARY: CHAIRMAN PENNINGTON.
7 CHAIRMAN PENNINGTON: AYE.
8 BOARD MEMBER RELIS: I JUST RECALL PAJARO
9 RIVER. I THINK WE REMEMBER A FEW YEARS AGO WE
10 LOST PART OF OUR COMPOSTING DEMONSTRATION PROJECT
11 IN THAT AREA, SO HOPE YOU HAVE A GOOD LEVEE.
12 CHAIRMAN PENNINGTON: MOTION CARRIES.
13 AND WE'LL MOVE TO ITEM NO. 47, CONSIDERATION OF A
14 NEW STANDARDIZED COMPOSTING PERMIT FOR
15 BIORECYCLING TECHNOLOGIES IN FRESNO COUNTY.
16 MS. RICE: THANK YOU, MR. CHAIRMAN AND
17 MEMBERS. VIRGINIA ROSALES OF DIVISION STAFF WILL
18 MAKE THE STAFF PRESENTATION ASSISTED BY TIM
19 CASAGRANDE OF THE LOCAL ENFORCEMENT AGENCY.
20 MS. ROSALES: GOOD AFTERNOON, MR.
21 CHAIRMAN AND BOARD MEMBERS. ITEM 47 IS A NEW
22 STANDARDIZED COMPOSTING PERMIT FOR BIORECYCLING
23 TECHNOLOGY IN FRESNO COUNTY. THE OPERATOR IS
24 BIORECYCLING TECHNOLOGIES OR BTI. THE OWNER IS - -
25 THE LANDOWNER IS MR. MASSUD NURY.



1 You HAVE BEFORE YOU THE PROPOSED
2 PERMIT WHICH WAS NOT AVAILABLE AT THE TIME THE
3 ITEM WAS PREPARED. SHOULD HAVE BEEN DISTRIBUTED
4 THIS MORNING.

5 CHAIRMAN PENNINGTON: YES, WE WERE GIVEN
6 IT.

7 MS. ROSALES: THIS PERMIT WOULD ALLOW FOR
8 A COMPOSTING OPERATION UTILIZING AGRICULTURAL
9 GREEN MATERIAL, COW MANURE, AND MUNICIPAL GREEN
10 MATERIAL FOR FEEDSTOCK WHICH PRODUCES COMPOST AND
11 FEEDSTOCK FOR VERMICOMPOSTING.

12 OTHER RELATED USES OF THE PROPERTY
13 THAT ARE NOT IN THE PURVIEW OF THIS PERMIT ARE
14 FERTILIZER PRODUCTION, A BIOMASS FUELED
15 COGENERATION PLANT, AND VERMICOMPOSTING.
16 BTI COMPOSTING FACILITY IS A 40-ACRE
17 PORTION OF THE 480-ACRE SITE LOCATED IN
18 UNINCORPORATED AREA OF FRESNO COUNTY. THE SERVICE
19 AREA OF THE FACILITY INCLUDES, BUT IS NOT LIMITED
20 TO, THE CITIES OF FRESNO, CLOVIS, AND KERMAN.

21 THERE ARE NO RESIDENCES WITHIN A THOUSAND FEET OF
22 THE PROPOSED FACILITY.

23 THIS FACILITY IS A CONVERSION OF AN
24 EXISTING ABANDONED WINERY THAT CAN BE CONVERTED
25 FOR USE OF THIS OPERATION. THE FACILITY WILL



1 ACCEPT COW MANURE AND GREEN WASTE AS FEEDSTOCK FOR
2 COMPOSTING. BTI PROPOSES TO USE AN ANAEROBIC
3 WINDROW COMPOSTING PROCESS. THE SITE CAN
4 ACCOMMODATE 60,000 CUBIC YARDS OF ACTIVE COMPOST.
5 THE COW MANURE IS COLLECTED FROM 80 TO 90 DAIRIES
6 IN A 30-MILE RADIUS OF THE SITE. THE MANURE WILL
7 BE PROCESSED THROUGH AN ANAEROBIC DIGESTER SYSTEM;
8 AND AFTER THAT PROCESS, THE LIQUID FRACTION AND
9 THE MANURE FIBERS WILL BE MIXED WITH THE GREEN
10 WASTE.
11 THE AGRICULTURAL - - THE GREEN WASTE
12 WILL COME PRIMARILY FROM THE MUNICIPAL GREEN WASTE
13 RECYCLING PROGRAM AND THE AGRICULTURAL OPERATIONS.
14 GENERALLY THE COMPOSTING CYCLE WILL TAKE
15 APPROXIMATELY 90 DAYS TO COMPLETE. THE COMPOSTING
16 MATERIAL WILL BE HAULED OFF SITE FOR AGRICULTURAL
17 AND OTHER INTERESTS.
18 DUST WILL BE CONTROLLED BY THE USE
19 OF A WATER TRUCK. THE WINDROW TURNERS ARE COVERED
20 TO REDUCE DUST DURING TURNING.
21 ODOR WILL BE CONTROLLED BY REGULARLY
22 CLEANING THE MACHINERY AT THE FACILITY THROUGH
23 TURNING OF THE WINDROWS WHICH WILL PREVENT AN
24 ANAEROBIC DECOMPOSITION AND, AS I PREVIOUSLY
25 MENTIONED, THE SEALED PROCESSING OF THE MANURE.



1 OTHER ENVIRONMENTAL CONTROLS ARE
2 ADDRESSED IN THE RCSI.
3 THE LEA ACCEPTED THE APPLICATION FOR
4 THE NEW STANDARDIZED COMPOSTING PERMIT IN AUGUST
5 18TH, SUBMITTED BY THE APPLICANT AUGUST 7TH.
6 STAFF RECEIVED THE PROPOSED PERMIT AND AMENDED
7 RCSI AUGUST 18TH.
8 STAFF HAVE COMPLETED OUR REVIEW OF
9 THE PROPOSED PERMIT AND SUPPORTING DOCUMENTATION.
10 THE FRESNO COUNTY PUBLIC WORKS
11 DEPARTMENT, ACTING AS LEAD AGENCY, PREPARED A
12 MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED
13 PROJECT, AND ON JULY 15, 1997, A NOTICE OF
14 DETERMINATION WAS FILED WITH THE COUNTY CLERK.
15 FOR THE RECORD, STAFF WANT TO
16 MENTION THAT THE RCSI DATED MARCH 4, 1997,
17 CIRCULATED THROUGH THE STATE CLEARINGHOUSE WITH
18 THE INITIAL STUDY WAS VERY BROAD AND DESCRIPTIONS
19 OF THE ENTIRE OPERATION, INCLUDING THOSE
20 ACTIVITIES THAT ARE NOT WITHIN THE PURVIEW OF THE
21 PROPOSED PERMIT. THEREFORE, THE LEA REQUESTED A
22 MORE CONDENSED RCSI BE DEVELOPED ADDRESSING ONLY
23 THOSE ACTIVITIES THAT ARE WITHIN THE PURVIEW OF
24 THE LEA. CONSEQUENTLY, THE RCSI SUBMITTED AS PART
25 OF THE APPLICATION PACKAGE IS DATED AUGUST 15,



1 1997.

2 THERE IS ONE OUTSTANDING ISSUE. THE

3 LEA MADE THE FINDING THAT THE OPERATION OF THE

4 FACILITY IS CONSISTENT WITH THE COUNTY SOLID WASTE

5 MANAGEMENT PLAN PURSUANT TO PRC 50000. THE REVIEW

6 OF THIS FACILITY PROCEEDED AS THOUGH FRESNO COUNTY

7 WAS STILL IN THE GAP. THIS PROJECT WAS HEARD

8 BEFORE THE LOCAL TASK FORCE ON JUNE 12, 1997.

9 THE BOARD APPROVED FRESNO COUNTY'S

10 CIWMP IN JUNE 1997. STAFF OF THE OFFICE OF LOCAL

11 ASSISTANCE FIND THAT PRC 50001 APPLIES, AND DO NOT

12 FIND THAT THE COMPOSTING FACILITY IS DESCRIBED IN

13 THE COUNTY'S NONDISPOSAL FACILITY ELEMENT.

14 THEREFORE, STAFF ARE NOT ABLE TO MAKE A

15 CONFORMANCE FINDING.

16 BECAUSE OF THIS OUTSTANDING ISSUE,

17 STAFF ARE NOT ABLE TO MAKE A RECOMMENDATION OF

18 CONCURRENCE WITH THE STANDARDIZED COMPOSTING

19 PERMIT NO. 10-AA-0184 OR PERMIT DECISION NO.

20 97-379 PENDING THE BOARD'S DETERMINATION OF THIS

21 ITEM. THIS CONCLUDES STAFF'S PRESENTATION. DIRK

22 POESCHEL IS ALSO PRESENT REPRESENTING THE

23 OPERATOR. ALSO PRESENT IS GERRY PRIETO OF THE

24 FRESNO COUNTY RESOURCE OFFICE IF THERE'S ANY

25 QUESTIONS.



1 CHAIRMAN PENNINGTON: ANY QUESTIONS OF
2 STAFF?
3 THE LEA OR THE OPERATOR WISH TO MAKE
4 A STATEMENT?
5 MR. CASAGRANDE: GOOD AFTERNOON, CHAIRMAN
6 AND BOARD MEMBERS. MY NAME IS TIM CASAGRANDE.
7 I'M THE LEA IN FRESNO COUNTY.
8 THIS PARTICULAR ITEM IS - . THE
9 CONTROVERSY INVOLVED IN THIS ITEM INVOLVES THE
10 PROCESS AND THE PROCEDURES WHEREBY AN INTEGRATED
11 WASTE MANAGEMENT PLAN OF THE COUNTY WAS APPROVED
12 AFTER THE PROCESSING OF THE PROJECT THROUGH THE
13 COUNTY'S LAND USE APPROVALS AFTER THE TASK FORCE
14 MADE THEIR RECOMMENDATION OF APPROVAL.
15 THIS PUT THE PROJECT - - AS THE
16 PROJECT WENT THROUGH THE PROCESS AND WAS BROUGHT
17 TO THE BOARD FOR A COMPLETED PROJECT AND REVIEW
18 AND BROUGHT TO YOUR BOARD, THE ISSUE RELATIVE TO
19 WHETHER THE NONDISPOSAL FACILITY - - THE ISSUE
20 RELATIVE TO THE IDENTIFICATION IN THE NONDISPOSAL
21 FACILITY ELEMENT BECAME APPARENT LAST WEEK. AND
22 THE PROJECT HAS GONE THROUGH, IN OUR MINDS, AS THE
23 LEA, THE PROCESS FOR WHICH THE LAW EXISTED AT THAT
24 TIME.
25 IN OTHER WORDS, WE REQUIRED THAT THE

175



1 FACILITY PREPARE OR THE OPERATOR PREPARE ALL THE
2 DOCUMENTATION AND APPROPRIATELY TOOK IT TO THE
3 TASK FORCE, HAD GENERAL PLAN CONSISTENCY, AND
4 THERE WAS AT NO TIME ANY DISCUSSION RELATIVE TO IT
5 NOT CONFORMING.
6 THE ISSUE NOW BEFORE YOUR BOARD IS
7 AN ISSUE OF WHETHER OR NOT THE CONFORMANCE WITH
8 RESPECT TO THE INTEGRATED PLAN AND THE TIME LINES
9 AND CIRCUMSTANCES INVOLVING THOSE TIME LINES ARE,
10 IN FACT, A POSITION THAT WOULD REQUIRE APPROVAL OR
11 DISAPPROVAL.
12 AND WE'RE IN THE POSITION THAT THE
13 APPLICANT HAS, OVER THE LAST EIGHT TO NINE MONTHS,
14 COMPLIED WITH ALL OF THE REQUIREMENTS RELATIVE TO
15 PLAN SUBMITTALS, RELATIVE TO US REQUESTING HIM TO
16 RESUBMIT AN RSI, WHICH STAFF INDICATED, AND ALL
17 THIS TIME HAS REQUESTED THAT WE PROCESS THIS
18 PROJECT QUICKLY SO THAT THEY CAN GET STARTED WITH
19 THE PROJECT. THAT WAS OUR INTENT, TO MOVE THE
20 PROJECT THROUGH THE TASK FORCE, THROUGH THE
21 PLANNING PROCESS, AND INTO YOUR BOARD'S DECISION.
22 AND THAT'S WHY WE'RE HERE TODAY IS
23 THAT THE APPLICANT WAS NOT WISHING TO WAIVE THAT
24 TIME LINE. AND WE FELT THAT, BASED UPON WHERE WE
25 HAD BEEN WITH THE PLANNING PROCESS AND MEETING THE



1 INTENT OF THE INTEGRATED WASTE MANAGEMENT PLAN,
2 BACK THEN THE COSWMP, WE FEEL THAT THE PROJECT IS
3 MERITORIOUS IN ITS CONCEPTS AS WELL AS ITS INTENT.
4 AND SO WE WOULD ASK THAT YOUR BOARD
5 APPROVE IT BASED UPON THE PROCESS THAT WE WENT
6 THROUGH AT THE TIME THAT THE PROJECT CAME TO US
7 FOR THE REGULATIONS THAT WERE IN EXISTENCE AT THAT
8 TIME AND THAT THE INTERPRETATION OF YOUR BOARD
9 STAFF, ALTHOUGH WE DON'T DISAGREE WITH THAT
10 INTERPRETATION, WE FEEL THAT THE SITUATION IS SUCH
11 THAT IT PUTS AN UNDUE BURDEN ON THE APPLICANT TO
12 HAVE THE COUNTY GO BACK AND TAKE THE TIME TO AMEND
13 THE ELEMENT SUCH THAT WE HAVE. MR. PRIETO WITH
14 THE RESOURCES DIVISION CAN SPEAK TO THIS, IF
15 NECESSARY. BUT IN OUR PARTICULAR COUNTY, THE
16 BOARD OF SUPERVISORS HAS A POLICY THAT THE TWO
17 COMMISSIONS THAT HAD BEEN SET UP IN THE COUNTY,
18 TWO SOLID WASTE COMMISSIONS, BE GIVEN THE
19 OPPORTUNITY TO REVIEW ALL SOLID WASTE MATTERS
20 PRIOR TO THAT ITEM COMING TO THE BOARD, WHATEVER
21 THE ISSUE IS.
22 AND THAT WOULD HAVE TO OCCUR, AS
23 WELL AS SCHEDULING OF AN AGENDA ITEM FOR OUR BOARD
24 OF SUPERVISORS. THEN AT THAT TIME WE WOULD COME
25 BACK TO YOUR BOARD WITH AN ELEMENT AMENDMENT.



1 THAT PUTS, IN OUR OPINION, AN UNDUE BURDEN ON THE
2 APPLICANT. THEY HAVE BEEN CONCERNED ABOUT THE
3 TIME LINES INVOLVED IN THE PROJECT THROUGH THIS
4 PROCESS ALL ALONG, AND WE ATTEMPTED TO EXPEDITE
5 THE PROCESS.
6 WE BELIEVE THAT THE PROJECT, ALL THE
7 COMPONENTS OF THE PROJECT ARE COMPLETE. IT WAS
8 NOT OUR INTENTION TO BRING AN INCOMPLETE PROJECT.
9 I KNOW THE DISCUSSION ON PREVIOUS ITEMS, A COUPLE
10 PREVIOUS ITEMS AGO HAD THAT DISCUSSION ABOUT
11 BRINGING AN ITEM FORWARD THAT WAS INCOMPLETE,
12 HOPING TO GET A PARTICULAR DECISION. THAT WASN'T
13 OUR INTENT IN THIS CASE.
14 WE FEEL THAT THE APPLICANT HAS
15 COMPLIED WITH ALL THE REGULATIONS AND REQUIREMENTS
16 AT THE TIME THAT THE APPLICATION WAS BROUGHT
17 FORWARD TO US, THAT THE INTEGRATED WASTE
18 MANAGEMENT PLAN WAS NOT APPROVED AT THAT TIME.
19 AND WE FEEL THAT THE PROJECT SHOULD MOVE FORWARD
20 WITH THE UNDERSTANDING THAT EVENTUALLY, WHEN THE
21 NEXT AMENDMENT TO THE ELEMENT TAKES PLACE IN THE
22 COUNTY ON THE NEXT PROJECT, THAT THAT WOULD - -
23 THAT THIS PARTICULAR PROJECT WOULD BE DESCRIBED
24 AND IDENTIFIED AT THAT TIME. I'D BE HAPPY TO
25 ANSWER ANY QUESTIONS.



1 CHAIRMAN PENNINGTON: QUESTIONS?

2 BOARD MEMBER JONES: MR. CHAIRMAN, THE

3 TWO AGENCIES THAT THE BOARD - - THAT YOUR BOARD OF

4 SUPERVISORS HAS SAID, ONE WAS THE LOCAL TASK

5 FORCE, ONE OF THE AGENCIES THAT THESE ISSUES HAVE

6 TO GO THROUGH, THE LOCAL SOLID WASTE TASK FORCE.

7 WHAT WERE THE TWO AGENCIES?

8 MR. CASAGRANDE: WELL, IN OUR PARTICULAR

9 COUNTY, THERE TWO COMMISSIONS, ONE FOR SOUTHEAST

10 REGIONAL SOLID WASTE COMMISSION AND THE OTHER ONE

11 IS A WEST SIDE COUNTY PLANNING COMMITTEE THAT

12 DEALS - - THAT LOOKS AT SOLID WASTE PROJECTS. TWO

13 OF OUR BOARD MEMBERS SIT ON THOSE COMMISSIONS OR

14 COMMITTEES. IN ADDITION TO THOSE COMMITTEES OR

15 COMMISSIONS, THEY WOULD HAVE TO ALSO GO TO THE

16 BOARD OF SUPERVISORS FOR AMENDMENT OF THE ELEMENT.

17 BOARD MEMBER JONES: ARE BOTH OF THOSE

18 COMMITTEES AWARE OF THIS PROJECT?

19 MR. CASAGRANDE: BOTH COMMITTEES HEARD

20 THIS PROJECT, AND BOTH PROVIDED THEIR RECOMMENDA-

21 TIONS TO THE APPROVAL BODY OF RECOMMENDING

22 APPROVAL OF THE PROJECT, AND THEY SUPPORTED IT

23 WHOLEHEARTEDLY WITH A UNANIMOUS VOTE. THE LOCAL

24 TASK FORCE ALSO APPROVED THE PROJECT AND VOTED

25 UNANIMOUSLY IN SUPPORT OF THE PROJECT.



1 BOARD MEMBER JONES: I'M NOT - - THIS IS A
2 WEIRD SITUATION. THIS IS A STRANGE SITUATION
3 BECAUSE - - AND OUR FRIENDS FROM BTI HAVE BEEN
4 CAUGHT ALREADY ONCE IN A WEIRD SITUATION, BUT IT
5 WORKED OUT. WE KEPT OUR WORD, GOT IT WORKED OUT
6 IN LESS THAN 20 DAYS, SOMETHING LIKE THAT. BUT IT
7 PUTS US IN A POSITION OF GOING AGAINST STATUTE, I
8 THINK.

9 YOU KNOW, I HAVE A PROBLEM WITH THE
10 TIMING, AND I'M STARTING TO SOUND LIKE A
11 BUREAUCRAT. I DON'T MEAN TO, AND I HOPE I'M NOT.
12 IT'S JUST TIMING ISSUES HAPPEN TO ALL OF US. WHAT
13 I'M WONDERING IS IF THOSE COMMISSIONS HAVE ALREADY
14 APPROVED IT, THEN THIS WOULDN'T HAVE TO GO BACK TO
15 THEM, WOULD IT? WOULDN'T - COULDN'T IT JUST BE
16 AN AGENDA ITEM THAT - - JUST A ONE-PAGE AMENDMENT
17 THAT WOULD GO TO YOUR NONDISPOSAL FACILITY
18 ELEMENT?

19 MR. CASAGRANDE: I'LL LET GARY PRIETO,
20 THE RESOURCES MANAGER FOR THE FRESNO COUNTY PUBLIC
21 DEVELOPMENT SERVICE.

22 MR. PRIETO: GOOD AFTERNOON, MR. CHAIRMAN
23 AND BOARD. GARY PRIETO, RESOURCES MANAGER FOR
24 FRESNO COUNTY.
25 THE ANSWER TO YOUR QUESTION IS THAT



1 WE MAY BE ABLE TO AVOID GOING BACK TO THE
2 COMMISSION SINCE THEY'VE ALREADY CONSIDERED IT,
3 AND THAT WILL BE A POLICY DECISION MADE IN-HOUSE
4 BEFORE WE PROCEED. AT THE MINIMUM IT WILL HAVE TO
5 GO BACK TO THE BOARD OF SUPERVISORS. THE NEXT
6 BOARD MEETING IS SEPTEMBER 16TH, SO THAT'S THREE
7 WEEKS FROM NOW APPROXIMATELY.
8 WE DID PROCESS THIS PROJECT UNDER
9 THE EXISTING PRC CODE GAP PROCESS, 50005. IT WENT
10 THROUGH THAT PROCESS. WE FOUND IT IN CONFORMANCE,
11 WE DID THE NOTICING. AS YOU ARE AWARE, THAT
12 PROCESS - - THAT PROCESS DOES TAKE SOME TIME TO DO
13 A NOTICING AND SET UP. THERE WAS NO, ABSOLUTELY
14 NO OPPOSITION TO THIS PROJECT. I THINK ALL THE
15 STAFF AGREE THAT IT'S A GOOD PROJECT.
16 SO IF YOUR DETERMINATION IS THAT WE
17 WOULD HAVE TO GO BACK AND AMEND OUR NDFE, WE WILL
18 DO THAT, BUT IT WILL DELAY THIS PROJECT. I THINK
19 THAT WE'RE CAUGHT IN A SITUATION WHERE IT HAS COME
20 TO YOU, IT'S A TIMING ISSUE ONLY. YOU'LL BE
21 HEARING IT NOW UNDER THE NEW PROCESS APPROVED BY
22 THE INTEGRATED WASTE MANAGEMENT PLAN. HOWEVER, WE
23 DIDN'T HAVE THAT AVAILABLE TO US AT THE TIME. BY
24 LAW WE HAVE NO CHOICE BUT TO USE THE GAP PROCESS,
25 AND IT IS THEN, I THINK, UNCONSCIONABLE TO DELAY



1 HEARING THIS PROJECT AT THE LOCAL LEVEL UNTIL WE
2 HAD A DECISION MADE FROM THIS BOARD.
3 AND I THINK ALL OF YOU UP THERE
4 WOULD AGREE THAT THAT WOULD NOT HAVE BEEN VERY
5 PRUDENT TO DO EITHER. WE GOT CAUGHT IN A TIMING
6 SITUATION. AND SO I WOULD ASK THAT YOU TAKE THAT
7 INTO CONSIDERATION. I DON'T BELIEVE THAT YOU WILL
8 SEE MANY OTHER PROJECTS LIKE THIS COME BEFORE YOU.
9 I THINK YOU WOULD HAVE SEEN SOME OF THESE BY NOW
10 IF IT HAD BEEN THE CASE. IT'S UNFORTUNATE THAT
11 THIS HAPPENED.
12 I THINK WHEN THE LEGISLATURE WAS
13 CREATING THE LAWS THAT WE'RE UNDER RIGHT NOW, THEY
14 DIDN'T TAKE INTO CONSIDERATION, IT WAS REALLY MORE
15 OF A OPEN-CLOSED DOOR, NOT A REVOLVING DOOR, AND
16 WE JUST HAPPENED TO BE CAUGHT IN THAT REVOLVING
17 DOOR, AND WE EXITED UNDER A NEW PLAN.
18 SO I WOULD ASK THAT YOU TAKE THAT
19 INTO CONSIDERATION ON THIS ITEM. IF YOU DECIDE
20 THAT WE NEED TO DO THE NDFE, WE'LL DO THAT, BUT
21 THAT WILL DELAY THE PROJECT, I BELIEVE, A MINIMUM
22 OF ONE MONTH AND PERHAPS AS LONG AS A MONTH AND A
23 HALF. AND THIS COMPANY HAS MADE A LOT OF
24 COMMITMENTS. THEY HAVE CONTRACTS OUT THERE THAT
25 THEY HAVE TO NOW START WORKING ON.



1 IT'S - - WE'RE VERY INTERESTED IN
2 TRYING TO HELP TOWARDS OUR DIVERSION IN OUR COUNTY
3 AND THE CITIES THAT ARE SENDING WASTE THERE. AS A
4 RURAL COUNTY, WE DON'T HAVE A LOT OF OPPORTUNITIES
5 FOR DIVERSION. WE'RE NOT CLOSE TO RECYCLING
6 MARKETS. WE'RE IN A LARGE GEOGRAPHIC AREA OF
7 6,000 SQUARE MILES. ON THE WEST OF FRESNO COUNTY
8 IT'S SPARSELY POPULATED AREA AND THERE IS TWO TO
9 FIVE MILES BETWEEN HOMES. IT IS VERY UNECONOMICAL
10 TO DO THE TYPES OF RECYCLING THAT WE'RE PERFORMING
11 IN THE URBAN AREA. THIS WE CAN DO. BEING THE AG
12 INDUSTRY THAT WE ARE, WE CAN UTILIZE THE END
13 PRODUCT, AND SO IT'S IMPORTANT FOR US TO KEEP THE
14 PROJECT MOVING FORWARD. THANK YOU.

15 CHAIRMAN PENNINGTON: THANK YOU. I'D
16 LIKE TO ASK OUR GENERAL COUNSEL WHAT HAPPENS IF WE
17 DON'T DO ANYTHING?

18 MR. BLOCK: I'M SORRY?

19 CHAIRMAN PENNINGTON: IF WE TAKE NO
20 ACTION, IF WE TAKE NO ACTION HERE TODAY, WHAT IS
21 THE RESULT?

22 MR. BLOCK: WITH THIS PERMIT, AS WITH ANY
23 OTHER PERMIT, IF THE BOARD DOES NOT TAKE ACTION,
24 THEN IN THE CASE OF A STANDARDIZED PERMIT, 30 DAYS
25 FROM THE DATE OF THE APPLICATION COMPLETENESS, THE



1 PERMIT IS DEEMED TO HAVE BEEN CONCURRED IN BY THE
2 BOARD AND IT WILL BE ISSUED.

3 CHAIRMAN PENNINGTON: WHAT WAS DATE THAT
4 IT WAS DEEMED - -

5 MS. ROSALES: SEPTEMBER 17TH WOULD BE THE
6 LAST DAY THE BOARD CAN ACT.

7 BOARD MEMBER JONES: WHEN WE ACCEPT IT - -
8 WHAT WAS THE DATE WE ACCEPTED IT?

9 MS. ROSALES: THE 18TH.

10 BOARD MEMBER JONES: OF AUGUST.

11 CHAIRMAN PENNINGTON: IF WE DO NOTHING . -

12 MS. RICE: ON SEPTEMBER 17TH.

13 MR. CHANDLER: THE NET EFFECT OF THAT

14 WOULD BE THAT IF THE BOARD DID, IN FACT, HEAR IT

15 ON SEPTEMBER 16TH - - LET ME GET THE DATES RIGHT - -

16 WE'D HAVE TO HEAR THIS ITEM, UNLESS WE CONVENE A

17 SPECIAL BOARD MEETING, AT OUR REGULARLY SCHEDULED

18 BOARD MEETING ON SEPTEMBER 30TH. SO EFFECTIVELY

19 NONACTION TODAY WOULD EFFECTIVELY HAVE A TWO-WEEK

20 IMPACT ON THE PERMIT.

21 CHAIRMAN PENNINGTON: IF WE DO NOTHING

22 TODAY, THE PROCESS WOULD MOVE FORWARD AND DELAY

23 ONE OR TWO WEEKS.

24 BOARD MEMBER JONES: AND THE LEA WOULD

25 ISSUE THE PERMIT.



1 MS. RICE: CORRECT.

2 BOARD MEMBER CHESBRO: BASICALLY

3 COUNSEL - - FOR COUNSEL. WHAT ARE THE LEGAL

4 OPTIONS WITH REGARDS TO ISSUING OR NOT ISSUING

5 BASED ON THE EXISTENCE OF THIS IN AN NDFE?

6 MR. BLOCK: AS MR. JONES ALLUDED TO A

7 LITTLE EARLIER, STAFF FELT THAT IT'S FAIRLY

8 STRAIGHTFORWARD AND LITERAL AND TALKS IN TERMS OF

9 AFTER A SINGLE FACILITY IS APPROVED BY THE BOARD,

10 THESE REQUIREMENTS NEED TO BE MET.

11 THE ONLY POTENTIAL OPTION THAT THE

12 BOARD HAS WITH REGARD TO - - IF YOU ARE ASKING

13 CONCURRING IN THIS PERMIT, WOULD BE TO INTERPRET

14 THAT STATUTE, BASICALLY READ SOME LANGUAGE INTO

15 THE MEANING OF THE STATUTE, THAT THAT

16 DETERMINATION OCCURS ON AN EARLIER DATE THAN THE

17 DATE THAT THE BOARD IS CONSIDERING THE PERMIT.

18 BOARD MEMBER CHESBRO: HOW SOLID ARE THE

19 LEGAL GROUNDS SUCH A DETERMINATION WOULD BE BASED

20 ON?

21 MR. BLOCK: THERE ARE NO . . THIS STATUTE,

22 AS YOU ALL KNOW, WAS ADDED BY 939. THERE'S NO

23 CASE LAW REGARDING IT AND NO REGULATIONS. THERE'S

24 NOTHING THERE. IN A SENSE, THIS INTERPRETATION,

25 THERE'S NOTHING TO GAUGE WHETHER IT, IN FACT, IS



1 SOLID OR NOT SOLID. IT'S WHAT THE COURT CALLS A
2 CASE OF FIRST IMPRESSION, AND SO WE REALLY FALL
3 BACK ON A QUESTION OF REASONABLENESS AND POTENTIAL
4 IMPLICATIONS FOR OTHER PERMITS AND ANALYSIS THAT
5 WOULD COME FORWARD IN OTHER CASES AND . -

6 BOARD MEMBER RELIS: MR. CHAIR. I'D LIKE
7 TO PURSUE THAT WITH YOU, ELLIOT. OKAY. IT
8 APPEARS THAT THIS IS A NONCONTROVERSIAL PERMIT.
9 PARTY KNOWS HOW TO OPERATE, RECEIVED THE LOCAL
10 APPROVALS, SO WE'RE REALLY AT A VERY - - THE ONLY
11 ISSUE HERE IS A VERY TECHNICAL ONE, AND THE LEGAL,
12 AT LEAST IT SEEMS TO THIS MEMBER, IS VERY
13 TECHNICAL LEGAL. OKAY.

14 WHAT IS - - I THINK OF THE GREATEST
15 CONCERN TO BOARD MEMBERS ON MATTERS LIKE THIS
16 WHERE YOU MIGHT WANT TO LEAN TO GET AN
17 INTERPRETATION THAT MIGHT FAVOR IT, WHAT WOULD
18 THAT OPEN UP? WHAT COULD IT OPEN UP?

19 MR. BLOCK: IN ORDER TO CONCUR IN THIS
20 PERMIT, THE BOARD WOULD HAVE TO DETERMINE THAT THE
21 ANALYSIS OF 50000 APPLIES OR 50001 APPLIES IS MADE
22 AT SOME POINT EARLIER THAN WHEN THE BOARD
23 DETERMINES WHETHER OR NOT TO CONCUR IN THE PERMIT.
24 IN THIS CASE IT ACTUALLY SOUNDS LIKE IT WOULD HAVE
25 TO BE SOME POINT EARLIER IN THE PROCESS, EITHER



1 WHEN CEQA IS BEGUN OR EARLIER BECAUSE MY
2 UNDERSTANDING IS THAT THEY APPROVED ON JUNE 26TH
3 AND THE CUP WAS NOT APPROVED UNTIL JULY, THE
4 APPLICATION WAS SUBMITTED IN AUGUST. SO WHAT IT
5 POTENTIALLY OPENS UP IS CONFUSION ON FUTURE
6 PERMITS AS TO WHAT STANDARD DOES OR DOESN'T APPLY
7 AND WHEN BECAUSE THE BOARD, OF COURSE, IS NOT
8 KNOWING NECESSARILY WHAT'S HAPPENING WITH THE
9 PERMIT FROM THREE OR FOUR MONTHS BEFORE.

10 BOARD MEMBER RELIS: THIS COULD THROW
11 CONFUSION INTO OTHER - - I'M JUST TRYING TO --

12 MS. RICE: ALSO, I THINK IT MIGHT BE
13 APPROPRIATE THAT IT IS NOT PRO OR CON, BUT THAT IN
14 OTHER INSTANCES WE HAVE USED THE SAME
15 INTERPRETATION THAT WE'RE USING TODAY OF WHICH
16 FINDING APPLIES, IN OTHER WORDS, GAP OR POSTGAP,
17 AND WE HAD HELD OTHER OPERATORS AND OTHER
18 JURISDICTIONS TO THE SAME STANDARD. AND JUDY
19 FRIEDMAN CAN ELABORATE ON THAT.

20 THIS IS NOT A FIRST TIME THAT THIS
21 ISSUE HAS COME UP. AND IT HAS ALWAYS BEEN HANDLED
22 BY THE NDFE BEING AMENDED AND BEING AGENDIZED THE
23 SAME DAY AS A PERMIT AND SO VOTED ON BY YOU BEFORE
24 THE PERMIT. AND THEN THE MATTER WAS DEALT WITH IN
25 THAT WAY. THE TIMING QUESTION MAY HAVE BEEN



1 TIGHTER. THAT MAY BE THE COMPLEXITY THAT WE HAVE
2 HERE IF THE DATES ARE CLOSER TOGETHER, BUT THIS IS
3 NOT A UNIQUE SITUATION.
4 THAT'S ALL I'M TRYING TO POINT OUT
5 IS THAT WE HAVE HELD OTHER OPERATORS TO THE SAME
6 STANDARD.

7 BOARD MEMBER CHESBRO: LET'S TAKE IT A
8 STEP FURTHER AND BROADEN THE PRECEDENT. YOU MAY
9 RECALL THE ISSUE WITH THE LANDFILL DOWN IN
10 IMPERIAL COUNTY WITH REGARDS TO FEDERAL LAND
11 TRANSFER NOT HAVING BEEN COMPLETED. YOU BEGIN TO
12 START SAYING, WELL, WHICH OF THE REQUIREMENTS ARE
13 WE GOING TO START WAIVING AND NOT WAIVING WITH THE
14 CRITERIA FOR DOING THAT.
15 I KNOW IN THAT CASE I SEEM TO RECALL
16 THE MAJORITY OF THE BOARD MEMBERS WERE NOT
17 COMFORTABLE PROCEEDING WITH SAYING, WELL, WE'LL
18 GIVE THEM THE PERMIT EVEN THOUGH WE DON'T - - I
19 GUESS, WHAT HAPPENS IS YOU MAKE A PRESUMPTION
20 ABOUT A DECISION-MAKING PROCESS. AND PROBABLY
21 EVERYBODY COULD REASON THAT WE'D CONCUR THAT THIS
22 PROJECT IS GOING TO BE ADDED TO THE NDFE. BUT IT
23 IS A LEGAL DECISION-MAKING PROCESS THAT YOU
24 PREJUDICE OR SECOND-GUESS IF YOU ASSUME, YOU KNOW,
25 ANY OUTCOME OF THAT PROCESS. I THINK ON THE



1 APPEAL TO THE LAND TRANSFER FOR THAT IMPERIAL
2 COUNTY, WE DON'T KNOW WHAT THE DECISION IS GOING
3 TO BE AHEAD AND APPROVE PROGRAMS THAT WE KNOW IN
4 ADVANCE WHAT THE DECISION IS GOING TO BE. SO - -

5 CHAIRMAN PENNINGTON: IF I DON'T HEAR A
6 MOTION, I'M PREPARED TO LET THE LEA LIVE WITH IT.
7 I SAY IF I DON'T HEAR A MOTION, I'M PREPARED TO
8 MOVE FORWARD WITH THE NEXT ITEM AND LET THE LEA
9 TAKE CARE OF - -

10 BOARD MEMBER CHESBRO: MR. CHAIRMAN,
11 ATTEMPTING - - BASED ON THE SUPPORT FOR COMPOSTING
12 AND MY DESIRE TO GET THEM OFF THE GROUND AS
13 QUICKLY AS POSSIBLE, I DO THINK THAT WE NEED TO
14 STICK TO THE CRITERIA IN THE LAW THAT WE'VE BEEN
15 GIVEN FOR PERMITS. AND I WOULD MOVE DISAPPROVAL
16 AND CERTAINLY WELCOME IT BACK AT THE NEXT BOARD
17 MEETING WITH THE INCLUSION IN THE NDFE.

18 BOARD MEMBER RELIS: BEFORE WE VOTE,
19 THERE WAS AN ASSERTION MADE, AND I WOULDN'T BASE
20 MY DECISION ON THIS BY ANY MEANS ALONE, BUT WHAT'S
21 THE REFERENCE TO THIS ENERGY DEPARTMENT MONEY? IS
22 THAT CONTINGENT ON A SPECIFIC DATE, OR IS THAT
23 JUST A CAUSE FOR HEARTBURN?

24 MR. POESCHEL: DIRK POESCHEL, LAND
25 DEVELOPMENT SERVICES, BUSINESS ADDRESS 23 TULARE,



1 FRESNO.
2 TO ANSWER YOUR SPECIFIC QUESTION,
3 THE LOAN IS REALLY NOT TIED TO A SPECIFIC DATE.
4 THE CONTRACTS WITH RESPECT TO RECEIVING AND
5 DELIVERING MATERIALS ARE OF CONCERN TO BTI.
6 AND IF I MAY, WHILE I'M HERE, THE
7 SCENARIO THAT I THINK THAT THE COMMISSION IS
8 PLAYING WITH, IF YOU WERE TO LOOK AT THE CEQA
9 PROCESS, WHICH REQUIRES THE DEFINITION OF THE
10 PROJECT EARLY ON AND AT THE MOST OR THE EARLIEST
11 POSSIBLE TIME, THAT DETERMINATION WAS MADE THROUGH
12 CONSULTATION WITH THE LEA AND CONSULTATION WITH
13 YOUR OWN STAFF.
14 IF THE OPTION WAS THAT WE WOULD HAVE
15 TO AMEND THE PLAN TO MAKE THIS APPLICATION
16 CONSISTENT, OUR CEQA DOCUMENT WOULD HAVE BEEN
17 INCONSISTENT WITH THE PROJECT DESCRIPTION. SO I
18 THINK THAT EARLY ON IN THE PROCESS, THERE WAS A
19 DETERMINATION MADE THAT WE WERE IN THE GAP
20 PROCESS. THE APPLICATION WOULD BE DEEMED ACCEPTED
21 AS LONG AS IT WAS WITHIN THAT GAP PROCESS AND THAT
22 THE APPLICANT PROCEEDED IN A TIMELY FASHION
23 THROUGH THE GAP PROCESS.

24 BOARD MEMBER RELIS: ARE YOU SAYING YOU
25 WERE ADVISED BY OUR STAFF?



1 MR. POESCHEL: ABSOLUTELY. WE HAD
2 CONSULTATION THROUGH THE STATE PERMIT STREAMLINING
3 PROCESS WITH VARIOUS STATE AND LOCAL AGENCIES. WE
4 PROVIDED DRAFT APPLICATIONS TO THE LEA. WE WENT
5 TO OUR BOARD OF SUPERVISORS. THEY ASKED FOR A
6 STATE EXPEDITIOUS HANDLING OF THE CEQA PROCESS.
7 OPR GOT THE APPLICATION TWICE BEFORE
8 WE WERE GRANTED OUR NEGATIVE DECLARATION. AND AS
9 TIM HAS MENTIONED TO YOU, WE HEARD ABOUT THIS LATE
10 LAST WEEK. IT'S GOING TO CAUSE A HARDSHIP FOR
11 BTI. WE APPRECIATE THE POSITION THAT THE
12 COMMISSION IS IN, BUT WE'RE PROCEEDING AS THOUGH
13 WE HAD AN APPLICATION THAT HAD MET ALL OF THE
14 REQUIREMENTS, MET ALL THE CRITERIA, TOOK IT TO
15 WEST COUNTY TASK FORCE, SOLID WASTE COMMISSION,
16 OUR PLANNING COMMISSION. THERE'S NO OPPOSITION TO
17 THE APPLICATION, AND IT'S GOING TO CAUSE A
18 HARDSHIP FOR THE PROJECT.
19 AND I THINK, FRANKLY, TOO, THAT WE
20 APPRECIATE THE COUNTY'S PERSPECTIVE ABOUT TRYING
21 TO GET US ON THE BOARD IN SEPTEMBER, BUT THERE ARE
22 NO GUARANTEES. IT COULD EASILY BE OCTOBER. AND
23 THEN WE OPEN UP ANOTHER CEQA PROCESS BECAUSE
24 YOU'LL HAVE TO EVALUATE WHAT MODIFICATIONS WERE
25 BEING MADE TO THE GENERAL PLAN.



1 SO WE ASK THAT YOU ALLOW THE PROCESS
2 TO CONTINUE AND THAT THE PROJECT CAN OPEN IN THE
3 TIME FRAME THAT WE HAD ALL THOUGHT THAT IT WAS
4 GOING TO BE ABLE TO. WE THANK YOU FOR YOUR
5 CONSIDERATION.

6 BOARD MEMBER CHESBRO: WITH ALL DUE
7 RESPECT TO THE COUNTY, WE HAVE A STATUTORY
8 PROBLEM. AND I THINK THE COUNTY HAS A POLICY
9 ABOUT THESE TWO ADVISORY BODIES. THE PROJECT IS
10 IMPORTANT BECAUSE I NOTED THAT IT HAS ALREADY BEEN
11 APPROVED BY THE COUNTY, AND I THINK THAT THE
12 COUNTY COULD CERTAINLY BE ENCOURAGED TO EXPEDITE
13 THE TIME AND GET IT BEFORE THE BOARD OF
14 SUPERVISORS SO THAT WE CAN HEAR IT IN SEPTEMBER.

15 MR. BLOCK: MR. CHAIRMAN, QUICKLY CLARIFY
16 THE CONFORMANCE ISSUE THAT WE'RE TALKING ABOUT
17 TODAY IS NOT RELATED TO THE GENERAL PLAN
18 CONFORMANCE. THAT WOULD NOT HAVE TO BE CHANGED.
19 AN NDFE, BOTH ADOPTION AND AMENDMENT, ARE
20 STATUTORILY EXEMPT FROM CEQA, SO THOSE WOULDN'T BE
21 ISSUES THAT WOULD COME UP.

22 BOARD MEMBER CHESBRO: MY PROBLEM REMAINS
23 THAT, YOU KNOW, I CAN SEE NEXT MONTH WHAT
24 REQUIREMENT IT IS SOMEBODY IS GOING TO ASK US TO
25 WAIVE. AND AS IT IS WITH THESE TYPES OF COMPOST



1 PERMITS, WE'RE KIND OF JAMMED BY THE TIME FRAME
2 WHICH WE ADOPTED, AND I JUST THINK THAT IT'S - - WE
3 MADE REFERENCE TO A SLIPPERY SLOPE EARLIER.
4 THAT'S A COMPELLING ARGUMENT. I'M SYMPATHETIC.
5 I'D RATHER SAY NO AND TRY TO DETERMINE WHEN IN
6 STATUTE WE'RE ON SOLID GROUND AND WHEN NOT. I'D
7 JUST AS SOON IT BE A BOUNDARY LINE THAT WE STAY ON
8 ONE SIDE OF IT.

9 CHAIRMAN PENNINGTON: ARE YOU MAKING A
10 MOTION?

11 BOARD MEMBER CHESBRO: YES, I'M MAKING A
12 MOTION.

13 BOARD MEMBER GOTCH: MR. CHAIR, I'LL
14 SECOND THAT.

15 CHAIRMAN PENNINGTON: YOUR MOTION IS TO
16 DENY THE PERMIT?

17 BOARD MEMBER CHESBRO: RIGHT.

18 CHAIRMAN PENNINGTON: DENY CONCURRENCE?

19 BOARD MEMBER CHESBRO: RIGHT.

20 CHAIRMAN PENNINGTON: ANY FURTHER
21 DISCUSSION?

22 BOARD MEMBER JONES: MR. CHAIRMAN, I HAVE
23 A QUESTION. THE LEA AT ONE POINT HAD INDICATED HE
24 WANTED TO SPEAK, AND I DON'T KNOW IF HE STILL
25 WANTS TO, BUT MAYBE, YOU KNOW, YOU CAN DO - -



1 MR. CASAGRANDE: THE ONLY ISSUE I THINK
2 THAT YOUR COUNSEL HAD BROUGHT UP WAS RELATIVE TO
3 COMPLYING WITH THE INTEGRATED WASTE MANAGEMENT
4 PLAN WHEN IT WAS APPROVED. IT WAS APPROVED AFTER
5 WE HAD DONE THE CONFORMANCE FINDING AND COSWMP.
6 SO WE WENT . - WE BELIEVE THAT THE PROCESS FOR
7 WHICH 939 WAS INTENDED WAS MET THROUGH THAT
8 PROCESS OF TAKING IT TO THE TASK FORCE.
9 AT THAT POINT IN TIME, THAT'S WHERE
10 WE BELIEVE THAT THE LAW RELATIVE TO THE INTEGRATED
11 WASTE MANAGEMENT PLAN VERSUS THE COSWMP PLAN, IT
12 WASN'T IN THE EXAMPLES THAT WERE GIVEN RELATIVE TO
13 SOME OF OTHER COUNTIES THAT BROUGHT PLANS IN.
14 THOSE PLANS HAVE BEEN APPROVED MAYBE AS LONG AS A
15 YEAR. AND WE FULLY EXPECT THAT ONCE WE RECEIVE
16 NOTIFICATION THAT THE INTEGRATED WASTE MANAGEMENT
17 PLAN WAS APPROVED, THAT IT TAKES YOU DOWN A
18 DIFFERENT COURSE, THAT THE PLAN . . THAT THE
19 PROJECT HAS TO BE IDENTIFIED IN THE NONDISPOSAL
20 FACILITY ELEMENT. WE RECOGNIZE THAT.
21 WHAT WE'RE SAYING IS THAT THIS
22 PROJECT WAS IN THE GAP PROCESS FOR WHICH
23 LEGISLATION PROVIDED A PROCESS TO GO THROUGH; AND
24 AS THE LEA AND AS THE COUNTY'S RESOURCE MANAGER
25 INDICATES, THEY'RE RESPONSIBLE FOR ENSURING THAT



1 THE PLAN IS FOLLOWED.
2 AND WE MET EXTENSIVELY WITH THE
3 APPLICANT AND ENSURED HIM THAT THIS IS THE
4 DIRECTION WE'RE SUPPOSED TO GO. AND WE THOUGHT
5 ALL ALONG, UP UNTIL LAST WEEK, THAT THE PROJECT
6 MET THOSE REQUIREMENTS. AND IT'S TRUE THAT THERE
7 IS A TIMING ISSUE, AND THAT'S BASICALLY WHAT
8 WE'RE - - WE'RE NOT - - WE'RE NOT DISPUTING
9 COUNSEL'S DECISION, AND HE'S GOT A VERY GOOD
10 POSITION ON THE DIRECT LANGUAGE OF THE LAW OF WHAT
11 IT SAYS.
12 WE'RE SAYING THAT IT DOESN'T APPLY
13 IN THIS CASE BECAUSE THE PROJECT WAS HEARD UNDER
14 COSWMP BY THE LOCAL TASK FORCE UNDER THAT PLAN,
15 UNDER THE COSWMP PLAN, IN THE GAP PROCESS DURING
16 THE - - THAT'S WHEN THE PROJECT WAS BEFORE US. WE
17 CAN'T FORECAST WHEN IT'S GOING TO COME BEFORE THE
18 BOARD OR WHEN THE PROJECT - - OR WHEN THE
19 INTEGRATED WASTE MANAGEMENT PLAN IS GOING TO BE
20 APPROVED BY THE BOARD.
21 THERE WAS CORRESPONDENCE FROM BOARD
22 STAFF TO THE COUNTY THAT SAID YOU ANTICIPATE THAT
23 IT COULD BE COMING; BUT WHEN WE'VE GOT A PROJECT
24 APPLICANT WANTING HIS PROJECT PROCESSED, WE CAN'T
25 SAY, WELL, WE'VE GOT TO GO DO THIS OTHER PROCESS



1 WHILE THE BOARD MAY CONSIDER OUR INTEGRATED PLAN.
2 THIS IS THE PROCESS THAT WE HAVE IN PLACE. THAT
3 WAS THE THINKING THAT WE TOOK AT THAT TIME.
4 SO IF THERE'S INTERPRETATION
5 INVOLVED HERE, WE'RE NOT DISPUTING STAFF'S
6 INTERPRETATION, OR ADMINISTRATIVE STAFF AT YOUR
7 BOARD HAS, I KNOW, GONE OVER THIS PROJECT MANY
8 HOURS AND LABORED OVER THIS DECISION. WE
9 APPRECIATE THAT. BUT WE'RE SAYING IT'S NOT AN
10 ISSUE OF INTERPRETATION OF THE LAW TODAY. WE ARE
11 INTERPRETING THE LAW WHEN THE PROJECT WAS IN THE
12 PROCESS, AND THAT WAS THE GAP PROCESS THAT WE WENT
13 THROUGH.
14 IT'S UNLIKE SOME OF THE OTHER
15 PROJECTS THAT YOU MAY HAVE HAD, SUCH AS THE SANTA
16 CLARA PROJECT WHERE YOU HEARD THE ELEMENT TODAY
17 AND APPROVED THE PROJECT. IF WE HAD THAT LUXURY
18 OF TIME TO DO THAT, THEN WE WOULD HAVE DONE THAT.
19 BUT THIS PROJECT WAS HEARD UNDER THE GAP, AND THE
20 COUNTY DIDN'T RECEIVE THE NOTIFICATION THAT THE
21 PLAN WAS APPROVED UNTIL EVEN AFTER THE LAND USE
22 APPROVALS WERE COMPLETED.
23 SO WE'RE TAKING THE APPLICANT DOWN
24 THIS PROCESS, AND THEN NOW WE'RE BEING ASKED TO
25 TAKE HIM TO ANOTHER PROCESS BECAUSE THE PLAN WAS



1 APPROVED ON A CERTAIN DAY. AND I UNDERSTAND THE
2 BOARD'S POSITION THAT PUTS YOU IN RELATIVE TO THE
3 DECIDING OR CONCURRING IN A PROJECT THAT MAY BE
4 INCONSISTENT WITH WHAT THE LAW SAYS TODAY, BUT I
5 WANTED TO GIVE YOU OUR PERSPECTIVE ON WHERE WE
6 WERE WITH THIS PROJECT AND THE DECISIONS WE MADE
7 AT THE LOCAL LEVEL, THE DECISIONS THAT WERE MADE
8 AT THE STATE LEVEL, THROUGH THE VARIOUS
9 PROCESSING, THROUGH THE CLEARINGHOUSE AND THE
10 BOARD REVIEW.
11 AGAIN, THE ISSUE WASN'T BROUGHT
12 FORWARD AND, GRANTED, THERE MAY HAVE BEEN A NEED
13 FOR BETTER COMMUNICATION BETWEEN US AND BOARD
14 STAFF AND BOARD STAFF AND US IN RESOURCES. THE
15 APPLICANT GOT CAUGHT IN THIS PROCESS OF A TIME
16 LINE AND THE MATTER OF A FEW WEEKS, NOT A MATTER
17 OF A YEAR OR SO, NOT A MATTER OF TIME THAT WOULD
18 ALLOW THE PROJECT TO BE CAUGHT, DEALT WITH, AND
19 STILL MET SOME TIME LINES THAT THEY WERE - - AT THE
20 EXPECTATION OF THE APPLICANT. THAT'S THE ONLY
21 ISSUE I HAVE TO MAKE CLEAR.

22 CHAIRMAN PENNINGTON: OKAY, FINE. THANK
23 YOU.

24 BOARD MEMBER JONES: ASK ONE MORE
25 QUESTION, PLEASE. SOMEBODY SAID YOUR BOARD



1 DOESN'T MEET AGAIN UNTIL SEPTEMBER 16TH. HOW

2 OFTEN DOES YOUR BOARD MEET?

3 MR. CASAGRANDE: GENERALLY TWICE A MONTH,

4 GENERALLY.

5 BOARD MEMBER JONES: I HATE THIS BECAUSE

6 THEY CHANGED THE DESK MANUAL ON ME ONE TIME AND I

7 HAD TO REDO THE WHOLE THING. YOU KNOW, I

8 EMPHASIZE - - I JUST . - I THINK THE NDFE IS A WAY

9 TO PROTECT THE COMMUNITY. YOU KNOW, I REALLY DO.

10 I SAY, YOU KNOW, THE NDFE'S, IF THEY APPROVED A

11 PROJECT, THEN SOMEBODY ELSE CAN'T - - DOESN'T COME

12 IN WITHOUT GOING THROUGH THAT PROCESS, YOU KNOW,

13 AND JUST PUT UP SOMETHING TO COMPETE OR DIVERT

14 WASTE FROM A COMMUNITY THAT'S FUNDING A FACILITY

15 OR SOMETHING LIKE THAT. AND I THINK THAT'S

16 IMPORTANT.

17 I THINK THE FACT THAT THIS HAS GONE

18 THROUGH ALL OF THE PROCESSES, AND IT IS STRICTLY A

19 TIME ISSUE, MY QUESTION IS IF THERE IS - - YOU

20 UNDERSTAND, LIKE THE CHAIRMAN SAID, HE WAS READY

21 TO MOVE ON TO ITEM WHATEVER IT IS, 48 OR 49, THAT

22 IN 30 DAYS ISSUE A PERMIT.

23 IS THERE A WAY . - AND I DON'T KNOW

24 IF THAT'S THE ANSWER. I MEAN IT'S - . I THINK IT'S

25 BETTER THAN - - I HATE THIS. I MEAN WE'RE STUCK.



1 I MEAN WE EITHER SAY NO OR WE DON'T CARE ABOUT THE
2 STATUTE OR WE DO CARE ABOUT THE STATUTE.
3 MY QUESTION IS IS THERE ANY WAY THAT
4 YOUR BOARD CAN HEAR THIS ITEM, MAKE A ONE-PAGE
5 AMENDMENT TO THE NDFE, AND GET IT BACK TO US IN AS
6 TIMELY A FASHION AS WOULD HAPPEN IF YOU ENDED UP
7 ISSUING THE PERMIT? YOU STILL CAN DO CHIP AND
8 GRIND ON THIS THING. YOU STILL CAN PROCESS THE
9 MATERIAL. YOU JUST CAN'T COMPOST IT, RIGHT?
10 I MEAN, YOU KNOW, YOU'VE GOT TWO
11 SETS OF REGULATIONS THERE, AT LEAST, YOU'RE GOING
12 TO BE ABLE TO WORK ON. BUT IF YOU COULD GET TO
13 THAT BOARD AND GET US THAT ONE-PAGE AND WE
14 RECONVENE, HE'S ABLE TO OPERATE, I THINK. I DON'T
15 KNOW HIS OPERATING PROCEDURES, BUT, YOU KNOW,
16 NOTHING COMPOSTS IN TWO WEEKS.
17 MR. CASAGRANDE: THAT WOULD DEPEND,
18 AGAIN, AS MR. PRIETO MENTIONED, WHETHER OR NOT THE
19 BOARD'S POLICY WOULD BE WAIVED RELATIVE TO
20 BRINGING IT TO THOSE OTHER SOLID WASTE
21 COMMISSIONS. ONE OF - - THE WEST SIDE COMMISSION
22 OVERSEES PROJECTS THROUGHOUT THE WHOLE COUNTY, OF
23 WHICH THIS PROJECT IS IN THEIR SPECIFIC AREA. SO
24 AS FAR AS HAVING SOMEONE ELSE COME IN AND THERE
25 BEING A CONCERN ABOUT NOT FOLLOWING THE PROCESS,



1 THAT WOULDN'T HAPPEN. AND I THINK FROM THIS POINT
2 FORWARD, I DON'T BELIEVE THERE ARE ANY PROJECTS
3 WHERE THIS ISSUE WOULDN'T BE BROUGHT FORWARD IN A
4 TIMELY MANNER, PERMITS THAT MAY BE IN PROCESS
5 RIGHT NOW.
6 TO ANSWER YOUR QUESTION, THE
7 BOARD - - CERTAINLY THERE ARE INSTANCES WHERE WE
8 WILL - - YOU KNOW, THE COUNTY MANAGEMENT WILL
9 REQUEST THE BOARD TO MEET ON EMERGENCY SESSIONS,
10 AND GENERALLY THOSE ARE RELATIVE TO DISASTERS, BUT
11 I DON'T KNOW IF THIS WOULD QUALIFY.

12 BOARD MEMBER RELIS: SPEAKING TO THE
13 MOTION, IF I COULD, I SHARE A LOT OF THE CONCERNS
14 THAT HAVE BEEN EXPRESSED. WE HAVE A FIRM LEGAL - -
15 I THINK I HEARD IT AS A FIRM LEGAL READING OF
16 STATUTE AND THAT TROUBLES ME. AND I GUESS I'LL
17 JUST HAVE TO LEAVE IT AT THAT.

18 BOARD MEMBER CHESBRO: ONLY OTHER THING I
19 CAN THINK OF WOULD BE IF OUR CALENDARS ALLOW A
20 BRIEF SPECIAL MEETING ON THE 17TH IF THE BOARD
21 ACTS ON THE 16TH. IS THAT WHAT I HEARD?

22 MR. CASAGRANDE: THEY MEET ON THE 16TH.
23 WE COULD CALENDAR THE ITEM ON THAT AGENDA. YOU
24 KNOW, THAT'S ANOTHER QUESTION.

25 BOARD MEMBER JONES: WE'RE WILLING TO



1 WORK OVERTIME. WE DON'T WANT - - THE OPERATOR IS
2 THERE. HE KNOWS HOW WE OPERATE. HE KNOWS WE'RE
3 STICKLERS ON STUFF LIKE THIS.

4 BOARD MEMBER RELIS: BE AN UNPRECEDENTED
5 SECOND APPEARANCE OF A SPECIAL MEETING.

6 BOARD MEMBER JONES: WHAT DOES THE
7 OPERATOR THINK, SERIOUSLY? YOU ARE NOT
8 JEOPARDIZING ANYTHING ONE WAY OR ANOTHER. I KNOW
9 YOU ARE CAUGHT IN THE MIDDLE; SO ARE WE. DO YOU
10 WANT TO TAKE A CHANCE OF GOING TO THE 16TH AND
11 THEN COMING TO US THE 17TH? YOU'VE GOT THE NDFE.

12 BOARD MEMBER FRAZEE: I DON'T THINK YOU
13 CAN ACCOMPLISH THAT IN A ONE-DAY TURNAROUND.
14 FIRST OF ALL, IT WOULD PROBABLY REQUIRE AN
15 ORDINANCE FROM THE BOARD OF SUPERVISORS, WHICH
16 DOES NOT TAKE EFFECT FOR 30 DAYS. THEN IT WOULD
17 REQUIRE A SUBMITTAL OF THAT TO US AND US DEVELOP
18 AN AGENDA ITEM.

19 BOARD MEMBER CHESBRO: WE'VE GOT A PERMIT
20 BEFORE US THAT WE WERE HANDED TODAY. SO, YOU
21 KNOW, IF WE CAN ACT ON THIS, WE OUGHT TO BE ABLE
22 TO ACT ON AN AMENDMENT TO THE NDFE THAT WAS PASSED
23 THE DAY BEFORE, I HOPE.
24 I DIDN'T BRING THAT SUBJECT UP. I'M
25 NOT SATISFIED WITH THAT, BUT THE FACT IS WE DO



1 THIS FOR THESE KINDS OF PERMITS BECAUSE OF SHORT
2 TIME FRAME. I DON'T SEE HOW WE CAN ACT ON THIS
3 FAXED RESOLUTION FROM THE BOARD OF APPROVAL. WHAT
4 IS THE LEGAL APPROVAL REQUIREMENT FOR AN NDFE?

5 MR. BLOCK: I CAN'T SPEAK FOR COUNTIES,
6 BUT I DON'T BELIEVE WE'VE EVER HAD COUNTIES THAT
7 WERE DOING THOSE AS ORDINANCES. JUDY CAN SPEAK TO
8 OUR REQUIREMENTS FOR OUR REVIEW.

9 MS. FRIEDMAN: YES. WE HAVE TURNED
10 THINGS AROUND VERY RAPIDLY. WE'VE WORKED WITH
11 CITIES AND COUNTIES TO EARLY OVERNIGHT
12 TURNAROUNDS. WHAT WE'LL DO IS DO ALL THE
13 PAPERWORK UP FRONT, AND ESSENTIALLY THAT FAX TO
14 COME IN THAT NIGHT AND THEN HAVE THE PIECES OF
15 PAPER THAT WE NEED. AND WE'VE WORKED OFF OF
16 MINUTE NOTES OR WHATEVER. WE HAVEN'T NECESSARILY
17 NEEDED AN ORDINANCE, JUST SOME INDICATION THAT THE
18 BOARD OF SUPERVISORS TOOK THAT MOTION. AND WE'VE
19 USED THAT TO PROCESS THE MATERIAL WE NEED AND COME
20 BACK TO THE BOARD IMMEDIATELY.

21 CHAIRMAN PENNINGTON: SOME OF THE BOARD
22 MEMBERS ARE SCHEDULING SPEECHES ON THAT DAY.
23 OKAY. WE HAVE A MOTION BEFORE US. IF THERE'S NO
24 FURTHER DISCUSSION, WILL THE SECRETARY CALL THE
25 ROLL.



1 BOARD SECRETARY:BOARD MEMBER CHESBRO.
2 BOARD MEMBER CHESBRO: AYE.
3 BOARD SECRETARY:FRAZEE.
4 BOARD MEMBER FRAZEE: NO.
5 BOARD SECRETARY:GOTCH.
6 BOARD MEMBER GOTCH: AYE.
7 BOARD SECRETARY:JONES.
8 BOARD MEMBER JONES: NO.
9 BOARD SECRETARY:RELIS.
10 BOARD MEMBER RELIS: RELUCTANTLY AYE.
11 BOARD SECRETARY:CHAIRMAN PENNINGTON.
12 CHAIRMAN PENNINGTON: NO. MOTION FAILS.
13 NO CONCURRENCE.
14 MOVE TO ITEM 49, CONSIDERATION OF A
15 FEASIBILITY STUDY AND FIELD DEMONSTRATION PROJECT
16 USING WASTE TIRES IN LEVEE CONSTRUCTION AND
17 REPAIR. CAREN TRGOVCICH.
18 MS. TRGOVCICH: GOOD AFTERNOON, MR.
19 CHAIRMAN AND MEMBERS. ITEM 49 BEFORE YOU TODAY IS
20 THE PRESENTATION OF A FEASIBILITY STUDY AND
21 PROPOSAL FOR A FIELD DEMONSTRATION PROJECT USING
22 WASTE TIRES IN LEVEE CONSTRUCTION AND REPAIR. THE
23 PRESENTATION TODAY WILL BE OPENED UP BY MARTHA
24 GILDART OF THE WASTE PREVENTION AND MARKET
25 DEVELOPMENT DIVISION. AND THEN THE PRESENTATION



1 WILL BE TURNED OVER TO REPRESENTATIVES OF BOTH THE
2 UNIVERSITY IN CHICO AS WELL AS THE SUBCONTRACTOR
3 TO CHICO STATE ON THIS PROJECT.
4 I WOULD LIKE TO JUST BRIEFLY PROVIDE
5 YOU A BACKDROP ON THE FISCAL ASPECTS OF THIS
6 PROJECT. LAST APRIL THIS BOARD TOOK TWO ACTIONS,
7 ONE PERTAINING TO THE REALLOCATION OF FUNDS
8 REMAINING IN THE TIRE RECYCLING MANAGEMENT FUND
9 FOR FISCAL YEAR 1996/97 AND THE SECOND PERTAINING
10 TO THE ALLOCATION OF FUNDS FOR THE 1997/98 FISCAL
11 YEAR FROM THAT SAME FUND.
12 THE FIRST ACTION PERTAINING TO THE
13 '96-'97 FISCAL YEAR HAD TO DO WITH THE ALLOCATION
14 OF \$36,500 TO BE MADE AVAILABLE AND TO BE EXECUTED
15 THROUGH AN INTERAGENCY AGREEMENT. AND AT THAT
16 POINT IN TIME, IT WAS UNCLEAR AS TO WHETHER IT
17 WOULD BE THE ARMY CORPS OF ENGINEERS, A STATE
18 ENTITY, OR SOME OTHER ENTITY, AND TO PROCEED TO
19 COMPLETE OR CONDUCT A FEASIBILITY STUDY ON THIS
20 PROJECT.
21 THE BOARD IN THE 7-8 ALLOCATION
22 ACTION THEN APPROVED \$409,000 THEN TO BE MADE
23 AVAILABLE FOR A DEMONSTRATION PROJECT IN THE EVENT
24 THAT THE FEASIBILITY STUDY PROVED SUCCESSFUL.
25 THE ITEM THAT IS BEFORE YOU TODAY IS



1 THE PRESENTATION OF THE RESULTS OF THE FEASIBILITY
2 STUDY FOR YOUR CONSIDERATION, AND THAT WOULD THEN
3 TRIGGER THE AVAILABILITY OF THE FUNDS MADE
4 AVAILABLE THROUGH THE 1997-98 ALLOCATION FOR THE
5 DEMONSTRATION PROJECTS.
6 WITH THAT, I'LL TURN IT OVER TO
7 MARTHA.

8 MS. GILDART: GOOD AFTERNOON, CHAIRMAN
9 AND MEMBERS. I'M GOING TO START WITH A LITTLE BIT
10 OF HISTORY. SOME OF IT MIGHT TOUCH ON WHAT CAREN
11 SAID. IF YOU REMEMBER, EARLIER THIS YEAR, GIVEN
12 THE TREMENDOUS CALIFORNIA EXPERIENCE WITH
13 QUANTITIES OF WASTE GENERATED DURING THE FLOODS
14 AND THE PROBLEMS WE SEE IN DISPOSING OF THOSE
15 MATERIALS, THE BOARD REQUESTED STAFF TO LOOK INTO
16 THE POSSIBILITY OF USING WASTE TIRES TO REPAIR OR
17 CONSTRUCT LEVEES.
18 STAFF REVIEWED TECHNOLOGIES USING
19 BOTH WHOLE AND SHREDDED TIRES FOR EROSION CONTROL,
20 FILL, AND BARRIER CONSTRUCTION. THIS LAST
21 TECHNOLOGY APPEARED, ON OUR PRELIMINARY REVIEW, TO
22 BE THE MOST PROMISING TECHNOLOGY.
23 IN APRIL, AS CAREN INDICATED, THE
24 BOARD DIRECTED STAFF TO PROCEED WITH THE CONTRACT
25 TO EXAMINE THE TECHNICAL AND ECONOMIC



1 FEASIBILITIES OF USING SHREDDED TIRES IN LEVEE
2 REPAIR. THE FUNDS WERE ALLOCATED FROM THE
3 REMAINING FUND IN THE '96-'97 BUDGET.
4 AND AS CAREN SAID, THE BOARD ALSO
5 ALLOCATED MONEY TO BE AVAILABLE IN THE EVENT THE
6 FEASIBILITY STUDY CAME OUT WITH A POSITIVE ANSWER.
7 STAFF DEVELOPED A SCOPE OF WORK AND
8 IN JUNE ENTERED INTO AN INTERAGENCY AGREEMENT WITH
9 THE CALIFORNIA STATE UNIVERSITY CHICO, THEIR
10 COLLEGE OF ENGINEERING.
11 THE SPECIFIC TECHNOLOGY THAT THEY
12 INVESTIGATED WAS THE USE OF SHREDDED TIRES IN A
13 SLURRY CUT-OFF WALL WHICH IS INJECTED INTO THE
14 LEVEE AND RUNNING THE LENGTH OF THE LEVEE. THE
15 PARAMETERS THAT WERE STUDIED BY CHICO INCLUDED
16 COMPRESSIVE STRENGTH, PERMEABILITY, AND SLUMP
17 TESTING. THEY LOOKED AT DIFFERENT MIXES THAT
18 INCLUDED URETHANE BINDERS, BENTONITE CLAYS,
19 PORTLAND CEMENTS, AND DIFFERENT SIZES OF TIRE
20 SHREDS FROM DIFFERENT SOURCES. THEY LOOKED AT
21 BOTH SHREDDED, LARGE CHUNKS, SMALL CHUNKS, CLEAN,
22 WIRE, NYLON BELTED, DIFFERENT KINDS OF TIRES.
23 IN A FEW MINUTES THE CALIFORNIA
24 STATE UNIVERSITY CHICO AND THEIR SUBCONTRACTOR
25 WILL BE PRESENTING THE RESULTS OF THEIR TESTING



1 AND DESCRIBING POTENTIAL APPLICATIONS FOR THE
2 DEMONSTRATION PROJECT. BEFORE THEY BEGIN, THOUGH,
3 I WANT TO LAY OUT THE OPTIONS THAT ARE AVAILABLE
4 TO THE BOARD.
5 THIS ITEM IS COMING TO YOU TODAY
6 WITHOUT HAVING FIRST GONE THROUGH COMMITTEE REVIEW
7 BECAUSE OF THE TIME LINES INVOLVED. THE CONTRACT
8 WAS ENTERED INTO IN JUNE WITH A DUE DATE OF
9 MID-AUGUST WITH RESULTS TO BE MADE AVAILABLE TO
10 STAFF THIS WEEK. THEY ARE PRESENTED BEFORE YOU IN
11 THE REPORTS THAT WERE JUST HANDED OUT. BY COMING
12 TO YOU TODAY, WE ALLOW THE BOARD THE OPTION OF
13 PROCEEDING WITH THE DEMONSTRATION YET THIS FALL
14 FOR THE FALL CONSTRUCTION PERIOD THAT TYPICALLY
15 ENDS AROUND NOVEMBER 1ST. BY PLACING SUCH A TEST
16 SEGMENT IN A LEVEE, WE COULD SEE HOW IT RESPONDS
17 DURING THE WINTER RAINY SEASON.
18 THE BOARD ALSO HAS THE OPTION OF
19 TAKING MORE TIME TO REVIEW THE RESULTS AND LOOK
20 INTO SITE SELECTION, TO DIRECT STAFF TO ENTER INTO
21 A DEMONSTRATION THAT WOULD BEGIN CONSTRUCTION IN
22 THE SPRING. OR OBVIOUSLY, THERE'S THE THIRD
23 CHOICE OF NOT ENTERING INTO A DEMONSTRATION AT
24 ALL.
25 WHAT I WOULD LIKE TO RECOMMEND IS



1 THAT THE BOARD ACCEPT THE RESULTS OF THE
2 FEASIBILITY STUDY IN FULFILLMENT OF THE CONTRACT;
3 AND THEN AFTER HEARING THE PRESENTATION FULLY AND
4 ASKING ANY QUESTIONS, DIRECT STAFF AS TO WHICH OF
5 THE THREE OPTIONS ON THE DEMONSTRATION YOU'D LIKE
6 US TO TAKE PART.
7 AT THIS TIME I'D LIKE TO INTRODUCE
8 THE FIRST OF THREE SPEAKERS, AND THAT'S TIM VANDER
9 HEIDEN WITH VAN-DUERR INDUSTRIES, SUBCONTRACTOR TO
10 CALIFORNIA STATE UNIVERSITY AT CHICO.
11 MR. VANDER HEIDEN: THANK YOU. GOOD
12 AFTERNOON, MR. CHAIRMAN, BOARD MEMBERS. VAN-DUERR
13 INDUSTRIES IS AN RMDZ BUSINESS, AND WE ARE HERE
14 TODAY TO SHOW YOU WHAT I THINK IS A GOOD IDEA. AS
15 A RESULT, WE HAVE NOT JUST A DISPOSAL METHOD, BUT
16 REALLY WHAT WE FEEL IS A BETTER PRODUCT, AND ONE
17 THAT ACTUALLY PROVIDES BETTER PROTECTION FOR
18 LEVEES.
19 WHY NOW? THERE'S A COUPLE POINTS I
20 WANT TO BRING UP NOW THAT WE'LL COVER AS GO
21 THROUGH OUR PRESENTATION. WHY NOW IS BECAUSE
22 MONEY IS BEING SPENT ON LEVEES, AND LEVEE
23 CONSTRUCTION GOING ON NOW AND A REPORT ON THE KIND
24 OF MONIES BEING SPENT IN CALIFORNIA FOR THAT IN
25 THE NEXT FEW YEARS.



1 THIS PARTICULAR PROPOSAL WE USE UP
2 TO 2,350 TONS OR 235,000 TIRES PER MILE OF LEVEE
3 CONSTRUCTION. AS A RESULT, CALIFORNIA HAS
4 THOUSANDS OF - - 6,000 MILES OF LEVEE; SOME OR ALL
5 OF THEM HAVE SLURRY WALL CUT-OFF. MANY DO NEED
6 REPAIR AT THIS POINT.
7 THE COST COMPETITIVE ON THIS
8 PARTICULAR PRODUCT, WHICH USES IMPORTATION OF
9 SOILS, REDUCES ACTUAL COST ON SITE IN REGARDS TO
10 BENTONITE AND CEMENT, AND WE'LL DISCUSS THAT IN A
11 LITTLE BIT AS WELL, AND THE BENEFITS, OF COURSE,
12 IS VALUE ADDED IN THIS APPLICATION IN THAT THE - -
13 PREVENTING DIFFERENT EROSION, EROSION CONTROL,
14 OTHER APPLICATIONS REGARDING THE HARBORS AND OTHER
15 TYPES OF AREAS. AND AS YOU KNOW AND ARE PROBABLY
16 WELL AWARE OF THAT FLOODS IN THIS PARTICULAR STATE
17 CAN IMPACT OUR LANDFILLS GREATLY COMPARATIVE TO
18 OTHER TYPES OF NATURAL DISASTERS.
19 SO WHAT I'D LIKE TO DO IS GIVE YOU
20 THE SHORT COURSE 101 ON LEVEES REAL QUICKLY JUST
21 TO GIVE YOU AN IDEA OF HOW IT WORKS AND HOW WE'VE
22 COME ALONG.
23 AND THE FIRST CHART WE HAVE IS A
24 KIND OF CROSS SECTION, AND YOU CAN FIND THAT ON
25 PAGE 1. THAT'S ACTUALLY THE CROSS SECTION OF THE



1 LINDA LEVEE BREAK AREA BACK IN '96. AS A RESULT,
2 YOU CAN SEE THERE'S DIFFERENT LAYERS OF LEVEES
3 THAT CONTINUE TO ADD DIFFERENT TYPES OF INDIGENOUS
4 SOILS THOSE DIFFERENT YEARS.
5 NOW, THE NEXT ONE CHART WE'LL SHOW
6 YOU THE BOILS THAT HAPPEN. YOU HEAR ABOUT THIS IN
7 THE NEWS ABOUT WHY THE LEVEE BREAKS. WHAT
8 HAPPENS? WHAT HAPPENS IS EROSION, RODENT EROSION,
9 TREE ROOTS IN SOME INSTANCES. YOU WILL HAVE BOILS
10 OR PIPING THAT COMES UNDERNEATH THE LEVEE INTO THE
11 PERMEABLE SAND AND GRAVEL DEPOSITS THAT WILL BE IN
12 THE BOTTOM BASE OF THE LEVEE ABOVE THE CLAY AND
13 THE SOIL AND PILED UP INTO THE INDIGENOUS SOIL,
14 CAUSING THESE BOILS AND BREAKS COMING OUT DURING
15 REALLY HEAVY RAINY SEASONS AND HEAVY LOADED
16 LEVEES. SO AS A RESULT THAT - - THE THING OR THE
17 LOW PERMEABILITIES WILL CAUSE THOSE BREAKS.
18 THERE'S MANY DIFFERENT WAYS TO
19 REPAIR A LEVEE, INCLUDING THE LEVEE REBUILDING,
20 STABILIZATION BERMS, ADDING SOIL ONTO THE TOP,
21 RELIEF WELLS, RIP RAPPING, AND SLURRY CUT-OFF
22 WALLS, AND THAT'S WHAT WE'RE TALKING ABOUT HERE IS
23 A SLURRY CUT-OFF WALL. THAT TENDS TO BE AND IS
24 NOW A VERY POPULAR METHOD IN REPAIRING LEVEES.
25 AND QUITE SIMPLY, IT'S NOT REALLY



1 ROCKET SCIENCE. THE NEXT CHART SHOWS YOU
2 BASICALLY TAKE A LEVEE AND YOU WILL CUT DOWN THE
3 CENTER OF THE LEVEE AND TRENCH IT USING A TYPICAL
4 BACKHOE OR SOME KIND OF EXCAVATION TOOL, AND YOU
5 WILL DIG PART OF THE NATURAL LEVEE THAT EXISTS ON
6 THE ORIGINAL SOIL DOWN FARTHER AND REPLACING IT
7 WITH A BACKFILL. THIS BACKFILL TYPICALLY IN THE
8 FIELD CONSISTS OF ORIGINAL SOIL, BENTONITE, AND
9 CEMENT IN CERTAIN PERCENTAGES, AND THEN IT'S MIXED
10 UP, PUT BACK INTO THE GROUND. IN SOME CASES THERE
11 WILL ALSO BE A SLURRY WALL THAT WE'LL USE IN THE
12 APPLICATION OF THIS.
13 NOW, WHEN THIS SOIL IS MIXED UP AND
14 PUT BACK INTO THE GROUND, OUR PROPOSAL WAS TO
15 BRING IN RECYCLED MATERIAL IN THIS PARTICULAR MIX
16 AND PUT IT BACK INTO THE SOIL IN MIXING - -
17 DISPLACING SOME OF THE SOIL ON SITE AND PUTTING IT
18 INTO THIS BACKFILL MIX.
19 NOW, THE BACKFILL MIX IS - - LET ME
20 DO A COUPLE MORE OF THOSE. THERE'S ALSO A CAP
21 THAT GOES ON TOP OF THIS BACKFILL MIX, WHICH IS A
22 CEMENT CAP THAT THEY USE ON TOP AFTER THEY SEAL
23 OFF THE LEVEE AND FROM THERE ON THE CHART. SO
24 BASICALLY WE HAVE - - THAT'S HOW THE OVERVIEW OF
25 LEVEES, AND THERE'S A COUPLE OTHER CARDS BEHIND



1 THAT, DALLAS, THAT WE HAVE JUST SOME DIFFERENT
2 PERMEABILITY, SEE DIFFERENT TYPES OF AREAS WHERE
3 LEVEE CUT-OFF WALLS CAN BE DOWN THE CENTER AND
4 EVEN IN THE TOE END OF THE LEVEES AS WELL,
5 DIFFERENT KINDS OF CONSTRUCTION METHODS.
6 WHAT I'D LIKE TO DO IS HAVE DR.
7 DERUCHER TALK A LITTLE BIT ABOUT SOME OF OUR
8 FINDINGS, AND THEN ACTUALLY TALK ABOUT WHAT WE
9 CAME UP WITH IN THE LAB, AND WHY THIS PARTICULAR
10 PRODUCT AND THIS MATERIAL TENDS TO BE MUCH BETTER
11 THAN CURRENTLY.

12 DR. DERUCHER: THANK YOU. I'M KENNETH
13 DERUCHER. I'M DEAN OF THE COLLEGE OF
14 ENGINEERING'S COMPUTER SCIENCE AND TECHNOLOGY AT
15 CALIFORNIA STATE UNIVERSITY CHICO. I AM A CIVIL
16 ENGINEER. MY FIELD OF EXPERTISE IS CIVIL
17 ENGINEERING MATERIALS AS IT RELATES TO STRUCTURES.
18 IN THE LABORATORY WHAT WE DID WAS WE
19 TOOK CONCRETE SAND, PLASTER SANDS, FINE SAND AND A
20 SILTY CLAY, TYPICAL MATERIAL THAT YOU WOULD FIND
21 IN A LEVEE SITUATION, AND IN VARIOUS PROPORTIONS
22 WE MIXED IT WITH PORTLAND CEMENT TYPE II AND
23 BENTONITE ALONG WITH 40 PERCENT BY WEIGHT OF
24 RUBBER, SHREDDED RUBBER. AND THAT VARIED FROM
25 THREE-EIGHTHS OF AN INCH TO 1 INCH, TO 2 INCHES,



1 AND AT THE SAME TIME WE ADDED WATER, AND WE FORMED
2 A NUMBER OF TEST CYLINDERS, SOME STRUCTURAL BEAMS
3 FOR STRUCTURE TESTING AND CYLINDERS FOR
4 PERMEABILITY TESTING.
5 WE ENDED UP MAKING OVER
6 APPROXIMATELY 100 SAMPLES FOR COMPRESSION, 25 FOR
7 FLEXURE IN A SERIES FOR PERMEABILITY, AND WE FOUND
8 THAT THE COMPRESSIVE STRENGTH TESTING RANGED
9 ANYWHERES FROM 30 TO 147 POUNDS PER SQUARE INCH.
10 THE CORPS OF ENGINEERS CALLS FOR THE COMPRESSIVE
11 STRENGTH TO BE BETWEEN 15 AND 200 POUNDS PER
12 SQUARE INCH, AND WE WERE WELL WITHIN THOSE
13 PARTICULAR RANGES.
14 OUR PERMEABILITY IN OUR MIX DESIGN
15 THAT WE CHOSE, THE AMOUNT WAS FIVE TIMES TEN TO
16 THE MINUS SEVEN CENTIMETERS PER SECOND FLOW RATE,
17 AND THAT IS WHAT THE CORPS OF ENGINEERS CALLED FOR
18 AS A MAXIMUM RANGE.
19 TOXICITY WAS NOT AN ISSUE IN THIS
20 PARTICULAR CASE. DENSITY OF THE RUBBER WAS 38 TO
21 42 POUNDS PER CUBIC FOOT. OUR ACTUAL MIX OF WHAT
22 WE WERE CALLING A SOIL CEMENT MIX WAS 56 TO 90
23 POUNDS PER CUBIC FOOT. OUR SLUMP WAS FROM 1 INCH
24 TO 5 INCHES. CORPS OF ENGINEERS CALLS FOR A SLUMP
25 OF 4 TO 6 INCHES.



1 IN OUR RESEARCH PROCESS WE CAME
2 ACROSS AN ARTICLE THAT UTILIZED 15 PERCENT RUBBER,
3 AND A SERIES OF PERMEABILITY TESTS WERE PERFORMED
4 ON THAT. AND THE GROUND RUBBER IN THAT PARTICULAR
5 SOIL CEMENT MIX YIELDED A TEN TIMES BETTER FACTOR
6 FOR PERMEABILITY THAN A NORMAL SOIL CEMENT MIX.
7 ALL OF THIS SHOWING THAT WE HAD MET THE CORPS OF
8 ENGINEERS SPECIFICATIONS, AND THAT WE DO HAVE
9 ADEQUATE MIX DESIGNS HERE, AND THAT OUR NEXT PHASE
10 IS TO MOVE FORWARD WITH A FEASIBILITY STUDY OF
11 ACTUAL IN-FIELD TEST. THAT'S WHERE WE ARE.
12 WE HAVE SOME SAMPLES IF YOU WANT TO
13 TAKE A LOOK AT THEM. THAT FIRST SAMPLE IS JUST A
14 SOIL CEMENT MIXTURE OF 40 PERCENT BY WEIGHT IN
15 THERE. THAT'S ALREADY BEEN TESTED. THAT WOULD
16 YIELD APPROXIMATELY 50 POUNDS PER SQUARE INCH.
17 SECOND SPECIMEN THAT WE BROUGHT HERE IS JUST
18 RUBBER. WE BONDED IT WITH A BONDING AGENT AND,
19 BELIEVE IT OR NOT, THAT CAME OUT ABOVE 15 POUNDS
20 PER SQUARE INCH AS WELL. OF COURSE, YOU WOULD NOT
21 USE STRAIGHT RUBBER IN ANY MIX. IT'S TOO LIGHT,
22 FLOAT ON YOU EVENTUALLY, NOT SOMETHING THAT YOU
23 WANT TO USE. YOU HAVE TO MIX IT WITH A SOIL
24 CEMENT.
25 WE BROUGHT ONE LARGE SPECIMEN WITH



1 US. DALLAS, IF YOU GET THAT OUT. THAT IS OUR MIX
2 WHERE WE COMBINED THE 2-INCH RUBBER WITH THE
3 1-INCH RUBBER, AND ALL OF THIS MATERIAL IS SIMILAR
4 IN WORKING ABILITY TO THAT OF CONCRETE EXCEPT IT'S
5 A LOT LESS STRENGTH-WISE. CONCRETE, OF COURSE,
6 3,000 PSI, POUNDS PER SQUARE INCH, THIS IS IN THE
7 200 POUNDS PER SQUARE INCH OR LESS.
8 WHEN YOU LOOK AT THAT, THE 1-INCH
9 FILLED IN THE VOIDS IN AND AROUND THE 2-INCH, AND
10 IN THIS PARTICULAR CASE WE USED THIS ONE WITH
11 STEEL-BELTED TIRES THAT WERE SHREDDED DOWN. AND
12 THAT WAS OUR HIGHEST VALUE, AND THAT WAS ABOUT A
13 147 POUNDS PER SQUARE INCH, WHICH IS VERY GOOD.
14 IT WAS INTERESTING THAT WHEN YOU DO
15 THE TEST ON THE RUBBER ONE THAT YOU HAVE, IT WILL
16 GO ALL THE WAY DOWN TO ABOUT HALF THE SIZE OF IT,
17 YOU WILL SEE A BIG BULGE IN IT. WHEN YOU PULL THE
18 LOAD OFF OF IT, IT WILL GO BACK ALMOST TO ITS
19 NORMAL SHAPE, A 90-PERCENT REBOUND. IT WAS FUNNY
20 TO OBSERVE THE ACTUAL SOIL CEMENT IS SOMEWHAT
21 SIMILAR. AS YOU COMPRESSED IT, THERE WAS ENOUGH
22 REBOUND RESILIENCE TO COME BACK SOMEWHAT, AND THAT
23 WAS VERY NICE AND SHOWED THAT IN A SITUATION WHERE
24 THERE'S MOVEABILITY INTO IT FOR EARTHQUAKE LOADS
25 AND THAT SORT OF THING AND AT LEAST IT COULD MOVE



1 WITHOUT DESTROYING IT COMPLETELY AND IT WILL COME
2 BACK.
3 QUITE IMPRESSIVE TEST. WE VERIFIED
4 THE RESULTS. I SENT MY . - NOT THAT I DON'T TRUST
5 MY OWN LAB, BUT I SENT THE RESULTS TO ANOTHER LAB
6 AND HAD THEM DO SOME TESTING, AND THEY CAME BACK
7 AND WE WERE VERY PLEASED TO GET SIMILAR RESULTS
8 THAT WE HAD. SO THE TESTING ASPECT OF THIS JUST
9 CAME OUT EXTREMELY WELL, AND IT SHOWED THAT IT
10 WILL WORK, AND WE'RE VERY PLEASED WITH THE FACT.
11 NICE PUBLICATION WILL COME FROM IT.

12 MR. LEWIS: MY NAME IS DALLAS LEWIS. MY
13 QUALIFICATIONS ARE THAT I SPENT 45 YEARS -- I'VE
14 BEEN IN THE ENGINEERING AND CONSTRUCTION BUSINESS
15 FOR 45 YEARS. I STARTED OUT AS A HIGHWAY ENGINEER
16 WITH CALTRANS, AND I WORKED THE FULL SPECTRUM. I
17 SPENT A MAJOR PORTION OF MY TIME IN THE MATERIALS
18 AND RESEARCH DEPARTMENT OF CALTRANS, DEALING WITH
19 LIME TREATED, CEMENT TREATED, ASPHALT TREATED
20 MATERIALS IN THE BUILDING OF HIGHWAYS.
21 AFTER THAT, I WENT TO WORK FOR
22 BALDWIN CONTRACTING COMPANY AND SPENT OVER 30
23 YEARS WORKING FOR THEM AND ENDED UP AS CHAIRMAN OF
24 THE BOARD AND CEO OF THE COMPANY. OUR MAIN
25 BUSINESS, MAJOR PART OF OUR BUSINESS WAS THE



1 PRODUCTION OF AGGREGATES IN HIGHWAY MATERIALS.
2 50 I HAVE BEEN IN THE MATERIALS
3 BUSINESS, WHICH IS RELATIVE TO THESE TESTS IN THE
4 WORK THAT WE'RE PROPOSING HERE. WHEN TIM BROUGHT
5 ME ON BOARD FOR THIS PROJECT, THE FIRST THING THAT
6 I DID WAS I WENT AND I SPENT ABOUT A MONTH ON AND
7 OFF TALKING WITH ENGINEERS WITH THE CORPS OF
8 ENGINEERS. ON PAGE 3 OF THE REPORT, YOU CAN GET A
9 LIST OF - - SEE A LIST OF ENGINEERS THAT I TALKED
10 WITH THERE.
11 THESE DISCUSSIONS CONCERNED THE
12 SPECIFICATIONS AND PLANS OF THE PROJECT THAT THEY
13 HAD UNDER CONTRACT AT THE PRESENT TIME AND THE
14 PROJECTS THAT THEY WERE CONTEMPLATING. THESE
15 INTERVIEWS LED ME TO GET A HOLD OF WILLIAM MYERS,
16 WHO IS THE CHIEF OF THE SOILS SECTION BACK IN
17 VICKSBURG, MISSISSIPPI. IF YOU ARE NOT AWARE OF
18 IT, CORPS OF ENGINEERS COVERS ALL OF THE STATES
19 PLUS A LOT OF OTHER COUNTRIES, AND THEY DO ALL OF
20 THEIR TESTING OF MATERIALS BACK IN VICKSBURG.
21 THEY HAVE SEVERAL HUNDRED ACRES THERE, AND THEY
22 HAVE MOCK-UPS OF EVERYTHING FROM THE CHESAPEAKE
23 BAY TO CANALS, DAMS, WHAT HAVE YOU. AND THEY DO A
24 LOT OF CONTRACT WORK, AS I MENTIONED EARLIER, WITH
25 OTHER COUNTRIES.



1 SO ANYWAY, I TALKED SEVERAL TIMES
2 WITH WILLIAM MYERS AND ASKED HIM IF THEY'D EVER
3 DONE ANY PROJECT TESTS WITH THE - - USING RUBBER IN
4 SLURRY ASPHALT WALLS. HE SAID, WELL, HE HAD
5 THOUGHT OF IT SEVERAL TIMES, BUT NEVER QUITE GOT
6 AROUND TO IT. HE WAS REALLY EXCITED ABOUT HEARING
7 ABOUT IT. SO I DESCRIBED TO HIM THE RESULTS WE
8 WERE GETTING ON THE TESTS.
9 AND AS A RESULT OF THAT, HE SENT ME
10 A LETTER, WHICH IS EXHIBIT B, IF YOU GO PAST THE
11 LAST PAGE OF THE REPORT, ON EXHIBIT B, HE ASKED
12 THAT HE BE KEPT APPRAISED OF THE PROGRESS ON THE
13 PROJECT AND THAT HE WOULD LIKE TO COME OBSERVE THE
14 PROCESS OF PLACING THE TIRE MATERIAL IN THE FIELD.
15 IN OTHER WORDS, HE WOULD LIKE TO HAVE US IN OUR
16 DEMONSTRATION PROJECT MAKE TWO SETS OF SAMPLES OF
17 EVERYTHING SO THAT THE CORPS CAN TEST THE PRODUCT
18 AND SO THEY COULD OBSERVE THE PLACEMENT OF THE
19 MATERIAL AND THE TECHNIQUE THAT WAS USED USING THE
20 RUBBER-ADDED PRODUCT.
21 ALSO RIGHT BEHIND I HAVE SEVERAL
22 OTHER LETTERS FROM DAVID RICKETTS, WHO'S THE CHIEF
23 OF SOIL DESIGN SECTION HERE IN SACRAMENTO. A
24 COUPLE FROM RICARDO PINEDA, WHO'S THE CHIEF
25 ENGINEER FOR THE RECLAMATION BOARD, AND A COUPLE



1 OF PRIVATE ENGINEERS THAT REPRESENT FIVE LEVEE
2 DISTRICTS, RICHARD VON GELDERN AND MR. SMITH.
3 ALL OF THESE PEOPLE THAT I TALKED
4 WITH, ENGINEERS THAT DEAL WITH LEVEES AND LEVEE
5 PROBLEMS DAY IN DAY OUT, WERE ALL EXCITED ABOUT
6 THE CONCEPT OF ADDING THE RUBBER TO THE PRODUCT.
7 AND WE FOUND OUT, AS DR. DERUCHER SAID, THAT
8 THROUGH THE TESTING PROCESS, WE FOUND OUT THAT THE
9 ADDING OF RUBBER ACTUALLY IMPROVED THE SLURRY
10 CUT-OFF WALL MATERIAL BECAUSE THE RUBBER ACTED AS
11 A REINFORCING MATERIAL IN THAT IT HELD TOGETHER
12 BETTER THE BIG CYLINDER YOU SEE UP THERE. THAT'S
13 JUST SOLID CONCRETE THAT WHEN THAT WAS COMPRESSED,
14 IT WOULD HAVE SHATTERED IN TWO, BUT INSTEAD, IT
15 REBOUNDED BACK TO ALMOST ITS ORIGINAL SHAPE THERE.
16 AND, YOU KNOW, THAT'S JUST UNHEARD OF IN THIS TYPE
17 OF MATERIAL.
18 AND ALSO MENTIONED IT WAS BACKED UP
19 BY THIS STUDY BACK IN MINNESOTA - MICHIGAN,
20 UNIVERSITY OF MICHIGAN. THEY DID A TEST AND THEY
21 FOUND OUT THAT THE RUBBER IMPROVED THE
22 PERMEABILITY, WHICH IS THE, YOU KNOW, THE ABILITY
23 TO LET THE WATER FLOW THROUGH THERE BY TEN TIMES,
24 STOPPED THE WATER. SO ALL OF THE WORK THAT WE'VE
25 DONE, WE THINK THAT THIS IS REALLY A NEW ADVENT ON



1 LEVEE PROTECTION.
2 DURING THIS TIME I'VE BEEN KEEPING
3 IN CONTACT WITH CORPS OF ENGINEERS. THEY HAVE A
4 CONTRACT OUT NOW THAT'S IN THE MARYSVILLE, YUBA
5 CITY AREA. AND DURING OUR DESIGN AND TESTING
6 PROCEDURE, WE HAVE BEEN KEEPING CLOSE CONTACT TO
7 MORE OR LESS COPY THE PROCEDURE THAT THE CORPS OF
8 ENGINEERS REQUIRES ON THEIR PRELIMINARY TESTING
9 AFTER A CONTRACT HAS BEEN LET.
10 AS SOON AS THE CONTRACT HAS BEEN
11 LET, THE CONTRACTOR GOES DOWN TO THE LEVEE AND
12 PUTS IN ALL OF THESE TEST HOLES DOWN THROUGH THE
13 LEVEE TO GET SAMPLES OF THE MATERIAL THERE AND TO
14 DETERMINE EXACTLY WHERE THE CLAY BED IS BECAUSE
15 THE SLURRY CUT-OFF WALL HAS TO GO ALL THE WAY
16 THROUGH THESE PERVIOUS STRATUMS DOWN INTO THE CLAY
17 BED WHERE IT ACTS LIKE A DAM THROUGH THE CENTER OF
18 THE LEVEE.
19 THIS PARTICULAR PROJECT AND THE
20 DEPTH VARY FROM 35 FOOT DEEP TO 50 FOOT DEEP. WE
21 ALSO, WHILE DOING THIS, WE WERE LOOKING FOR SOME
22 LEVEES SO WE COULD COME UP WITH A DEMONSTRATION
23 PROJECT. AND SEVERAL OF THE ENGINEERS RECOMMENDED
24 A PARTICULAR LEVEE LOCATED ABOUT EIGHT MILES SOUTH
25 OF MARYSVILLE THAT BELONGS TO THE PLUMAS MUTUAL



1 WATER COMPANY. AND IT TURNED OUT THAT THIS WAS AN
2 IDEAL TEST SITE. IT - - THE TWO LEVEES CARRY LARGE
3 CANAL WATER. THESE LEVEES CARRY IRRIGATION WATER
4 FOR SEVERAL LARGE RANCHES AND FARMS THERE.
5 AND THE LEVEE HAS A SEEPAGE PROBLEM
6 ON BOTH SIDES OF THE CANAL. THE PAGE 16 GIVES YOU
7 A PICTURE OF THAT IN THE REPORT. AS YOU SEE
8 THERE, THERE'S A LOT OF ROOM DOWN AT THE TOE. YOU
9 SEE THAT SECOND ARROW IS POINTING TO ALL THE GREEN
10 VEGETATION THERE WHICH IS WHERE THE WATER IS
11 SEEPING OUT FROM UNDERNEATH THE LEVEE.
12 THE THING THAT MAKES THIS SUCH A
13 GREAT TEST SITE IS THAT THE OWNERS HAVE A PIECE OF
14 PROPERTY WHERE THE PLANTS AND STOCKPILES OF RUBBER
15 AND OTHER MATERIALS REQUIRED COULD BE PRODUCED
16 VERY CLOSE TO THE PROJECT. IT HAS A GOOD AREA TO
17 THE RIGHT OF THE LEVEE FOR HAULING THE PRODUCT TO
18 AND FROM THE SITE. AND ONCE THE SLURRY CUT-OFF
19 WALL IS IN PLACE, THE LEVEE - - THE CANAL CAN BE
20 REFILLED WITH WATER SO IT CAN BE TESTED, SO THE
21 FLUCTUATION OF THE HYDRAULIC HEADS CAN BE ADJUSTED
22 ON IT. SO IT'S AN IDEAL TEST SITE.
23 MOVING ON, THE COST OF THIS
24 PARTICULAR PROJECT, THE ONE SIDE THERE'S
25 SIX-TENTHS OF A MILE THAT HAS A SEEPAGE PROBLEM.



1 AND SO I DID A COST ESTIMATE DOING THAT SIX-TENTHS
2 OF A MILE. AND THAT CAME UP TO - - THE VERY BACK
3 EXHIBIT Y. THAT CAME UP TO A TOTAL ESTIMATED COST
4 OF 664,000. NOW, THAT COST PROBABLY CAN BE
5 REDUCED BECAUSE, YOU KNOW, WHEN YOU'RE GOING OUT
6 AND GETTING PRICES, CONTRACTORS AND MATERIAL
7 SUPPLIERS ARE NOT VERY RECEPTIVE TO GIVE YOU THEIR
8 BOTTOM FIGURE UNTIL YOU HAVE THE PROJECT.
9 AND THAT COMPARES - - TAKE THAT WITH
10 THE CONTRACT 280 THAT THE CORPS HAS UNDER
11 CONSTRUCTION NOW, IF YOU WILL LOOK AT THE
12 PREPARATORY WORK, WE ARE - - THEY'RE 350,000. WE
13 COME UP WITH 160,000. DEMOLITION, THEY'RE 50,000;
14 WE'RE 5,000. WE'RE A LITTLE BIT HIGHER ON THE
15 SLURRY CUT-OFF WALL, BUT THEY ARE DOING THREE
16 MILES THAT AVERAGES ABOUT 55 FOOT DEEP. THEY HAVE
17 A LARGE QUANTITY OF SLURRY WALL TO DO, AND WE HAVE
18 A SMALL QUANTITY. WE'RE A LITTLE HIGHER, BUT IT'S
19 ONLY ABOUT 80 CENTS PER SQUARE FOOT HIGHER.
20 AND THEN OUR SOIL EXPLORATION AND
21 OUR SITE CLEANUP ARE, OF COURSE, MUCH LESS. SO
22 THE PRICES THAT WE'VE COME UP WITH ARE VERY
23 COMPETITIVE BASED ON WHAT THE CORPS IS GETTING FOR
24 PRICES DOING BIG PROJECTS.

25 MR. VANDER HEIDEN: I MIGHT MENTION THAT



1 WE CAME UP WITH - - THIS A 20 FOOT - -

2 MR. LEWIS: WE FIGURED THIS ON THE BASIS
3 OF 20 FOOT DEEP. AND IT MAY WELL BE THAT WHEN WE
4 DO THE CORE CASTING, WHICH IS WHAT YOU HAVE TO DO
5 FOR THE PROJECT, WE MAY BE ABLE TO USE SHALLOWER,
6 15 TO 12 FEET DEEP.

7 MR. VANDER HEIDEN: ONE OF THE THINGS
8 THAT I JUST BEGAN TO REALIZE DOING THIS PROJECT IS
9 THERE'S NO MAGIC FORMULA THAT YOU CAN COME UP WITH
10 FOR THIS PARTICULAR MATERIAL. THERE ARE
11 SPECIFICATIONS YOU HAVE TO MEET AND YOU HAVE TO
12 FIND THE MATERIAL SPECIFIC TO EACH SITE. YOU HAVE
13 DIFFERENT CLAY MIXTURES AND SAND MIXTURES. SOME
14 MAY BE VERY SANDY SOIL, SO YOU HAVE TO IMPORT A
15 BUNCH OF MATERIAL OR CLAY IN ORDER TO MIX IN WITH
16 YOUR BACKFILL AND SLURRY CUT-OFF WALL.
17 50 WHAT MAKES IT VERY UNIQUE ABOUT
18 THIS PARTICULAR MATERIAL IS THAT IT'S READILY
19 AVAILABLE, AND THEN YOU CAN GO AHEAD AND REPLACE
20 THE SOIL THAT'S GOING TO BE USED TO BUILD UP THE
21 LEVEE OR USED DOWN IN OTHER AREAS OR SOLD ACTUALLY
22 AS A COMMODITY. JUST DEPENDS ON THE APPLICATION.
23 YOU CAN REDUCE - - THE ONLY WAY TO DETERMINE SOIL
24 MIXTURE AND DEPTH.

25 MR. LEWIS: IN CONCLUSION FOR MY PART OF



1 THE REPORT, I THINK THAT A SUPERIOR PRODUCT HAS
2 BEEN DEVELOPED HERE. I THINK THAT THE STATE OF
3 CALIFORNIA CORPS OF ENGINEERS, ONCE THEY CAN VIEW
4 THIS DEMONSTRATION PROJECT, WILL START SPECIFYING
5 THAT RUBBER BE INCLUDED IN THE MIXTURE. THE
6 MATERIAL WILL MEET THE CORPS SPECS RIGHT NOW JUST
7 THE WAY IT IS, BUT IT DOES MAKE A SUPERIOR
8 PRODUCT, AND I THINK THAT THE CORPS THROUGH THEIR
9 TESTING PROGRAM AND OBSERVING THE DEMONSTRATION
10 PROJECT WOULD COME TO THAT SAME CONCLUSION.

11 MR. VANDER HEIDEN: ONE OF THE
12 INTERESTING THINGS, IF YOU WERE TO CONSIDER ALL
13 THE LEVEE CONSTRUCTIONS GOING ON RIGHT NOW AND THE
14 SCHEDULES THAT WE'RE GETTING CONTINUALLY, AS OF
15 YESTERDAY ANOTHER FIVE PROJECTS RELEASED, IT WOULD
16 BE EASILY 30 MILES OF LEVEES WITH SLURRY WALL
17 CUT-OFF CONSTRUCTION BEING PUT OUT THERE FOR BIDS.
18 THIS WILL BE GOING ON MOST LIKELY NEXT YEAR AND
19 THE YEAR AFTER. VERY LITTLE IS HAPPENING THIS
20 YEAR.

21 AND AS A RESULT, EVEN 25 MILES OF A
22 20 FOOT TRENCH WILL USE 5,875,000 TIRES USED IN
23 THIS PARTICULAR APPLICATION, WHICH I DON'T KNOW IF
24 YOU SEE THESE NUMBERS OFTEN, BUT THAT TO US IS
25 QUITE ENCOURAGING, LET ALONE YOU HAVE A LEVEE THAT



1 IS 40 FEET DEEP, THEN YOU CAN GO AHEAD AND JUST
2 DOUBLE THOSE NUMBERS FOR 25 MILES OF CONSTRUCTION.
3 MOST OF THESE PROJECTS ARE DONE IN
4 3-MILE AND 4-MILE INCREMENTS. ALTHOUGH THEY'RE
5 NOT CONTINUOUS, THEY'RE ON SITE AND TAKE CARE OF
6 THE SEEPAGE PROJECTS ALONG THE WAY.
7 ONE OF THE THINGS WHEN WE GET DOWN
8 TO THIS IS ALWAYS THE QUESTION OF WHAT IS COST.
9 WHAT'S THE VALUE ADDED TO THIS MATERIAL, AND
10 WHAT'S IT GOING TO COST PEOPLE TO USE THIS? WE
11 JUST LIKE A - PROBABLY NOT FAIR TO COMPARE THIS
12 TO A CELLULAR PHONE WHEN THEY WERE 2,000; NOW
13 THEY'RE GIVING THEM AWAY. THIS IS STILL NEW
14 TECHNOLOGY. IT'S NOT ROCKET SCIENCE, BUT IT IS
15 STILL NEW. ONCE WE'RE ABLE TO DEVELOP THE - - FROM
16 THE PRIMARY SHREDS GOING INTO A ONE-INCH/TWO-INCH
17 MINUS, BUFFINGS ONE-INCH MINUS OFF THAT PROVIDES
18 READILY AVAILABLE MATERIAL WHICH OTHERWISE NOW HAS
19 TO BE PROCESSED, AGAIN, USING ALL THE STEEL, ALL
20 THE FABRIC. THERE'S NO REAL PROCESS GOING ON TO
21 SEPARATE THE SMALLER COMPONENTS.
22 ONE OF THE REASONS WE TARGETED THAT
23 WAS A LOT OF THE INDUSTRY USE PUMPS ON SITE TO GET
24 THE MATERIAL TO THE LEVEE TRENCH, AND WE TRIED TO
25 DESIGN SOMETHING THAT WOULD WORK, HOPEFULLY, IN



1 PUMPING SYSTEMS ALL THE WAY DOWN. WE'VE ATTEMPTED
2 THAT. AT THIS POINT THE IDEA WAS NOT TO BE ABLE
3 TO REINVENT THE WHEEL, NOT CREATE NEW EQUIPMENT TO
4 HAVE THIS WORK, BUT REALLY MAKE THIS A MATERIAL
5 SUPPLEMENT TO THE CURRENT BACKFILL PRODUCT.
6 SO AGAIN, THE COST OF THE THING IS
7 HOW DO YOU JUSTIFY - - ARE THEY GOING TO BE USING
8 THIS IN LEVEES IN THE FUTURE? IS THIS SOMETHING
9 THAT THE STATE OF CALIFORNIA SAYS IS OKAY IN OUR
10 LEVEES? WE WANT TO HAVE RECYCLED MATERIAL. IT
11 MAKES IT A BETTER PRODUCT. IT MAY INCREASE THE
12 COST; BUT, AGAIN, IF THE MATERIAL IS SOMETHING
13 THAT IS READILY USED, AND WE START SUPPLYING IT,
14 THOSE COSTS WILL GO DOWN. SUPPLY AND DEMAND BRING
15 THE MATERIAL, FAIRLY MINIMALLY PROCESSED MATERIAL,
16 TO THE SITE.

17 CHAIRMAN PENNINGTON: VERY GOOD.

18 MS. GILDART: READY TO TAKE QUESTIONS.

19 BOARD MEMBER RELIS: MR. CHAIR, IF I
20 UNDERSTAND THIS RIGHT, OKAY, THERE'S - - AND IF WE
21 WERE TO APPROVE THIS AMOUNT FOR THE SIX-TENTHS OF
22 A MILE AS A PILOT, THEN YOU ARE SAYING THIS WOULD
23 BE A FULL-SCALE TEST?

24 MR. LEWIS: YES.

25 BOARD MEMBER RELIS: THIS IS A BONA



1 FIDE - - WE'VE GONE FROM A BENCH TO A FULL-SCALE
2 TEST. AND THEN IF THIS PASSES, HOW LONG IS IT
3 GOING HAVE TO BE ANALYZED BEFORE YOU KNOW WHETHER
4 IT'S VALID?

5 MR. LEWIS: WE WILL START ANALYZING IT
6 IMMEDIATELY. AND I WOULD SAY THAT BY NEXT SPRING,
7 THAT THEY WOULD BE TO THE POINT WHERE THEY COULD
8 APPROVE IT AND START SPECIFYING IT IN CONTRACTS.

9 BOARD MEMBER RELIS: SO WE COULD BE
10 LOOKING AT ROUGHLY NOT EVEN A YEAR FROM NOW
11 HAVING, IF IT DOES WHAT YOU THINK IT WILL, A SPEC
12 FOR THIS APPLICATION - -

13 MR. LEWIS: THAT'S CORRECT.

14 BOARD MEMBER RELIS: - - IN THE LEVEES OF
15 CALIFORNIA?

16 MR. LEWIS: AS SOON AS WE FINISH OUR
17 PROJECT, THE CORPS WILL TAKE THIS TECHNOLOGY THAT
18 WE DEVELOP BACK TO VICKSBURG AND DO THEIR
19 FULL-SCALE TESTING IN THEIR LAB. THEY HAVE A LAB
20 THAT'S ACRES INSTEAD OF SQUARE FEET. AND THEY
21 WOULD DO A FULL-SCALE FINAL TESTING PROGRAM THERE;
22 AND ONCE THEY HAD COMPLETED THAT, AND THEY WERE
23 SATISFIED THAT IT WAS A SUPERIOR PRODUCT, THEN
24 IT - -

25 BOARD MEMBER RELIS: JUST ONE LAST. AND



1 THEN THE PRICE, THE DIFFERENTIAL BETWEEN WHAT
2 CURRENT TECHNOLOGY DOES AND THIS IS WHAT AGAIN, OR
3 YOU DON'T KNOW?

4 MR. VANDER HEIDEN: YOU'RE RIGHT.

5 MR. LEWIS: RIGHT NOW IT'S UNKNOWN.

6 MR. VANDER HEIDEN: YOU ARE RIGHT. WE
7 DON'T KNOW. THAT'S THE PROBLEM. AND THAT IS
8 BECAUSE TO DO A DEMONSTRATION PROJECT, OBVIOUSLY
9 IT'S GOING TO COST MORE BECAUSE WE'RE DOING IT FOR
10 THE FIRST TIME. AND ONCE THE TECHNOLOGY BECOMES
11 DEVELOPED TECHNOLOGY, OR ONCE WE START FINDING OUT
12 EXACTLY HOW THIS APPLICATION WORKS, IMPROVING IT,
13 AND THEN ALL OF A SUDDEN WE'RE LOOKING FOR 1-INCH
14 MINUS.

15 BOARD MEMBER RELIS: THAT'S THE CRUX FOR
16 US. IT WON'T BE USED AT THE LEVELS THAT WE WANT
17 IT TO BE USED UNLESS IT'S A COMPETITOR.

18 MR. LEWIS: WE DO KNOW THAT ADDING THE
19 RUBBER ALLOWS US TO CUT THE AMOUNT OF PORTLAND
20 CEMENT AND BENTONITE THAT'S ADDED TO THE MIXTURE,
21 SO THERE'S SOME COST SAVINGS THERE. WHETHER THAT
22 WILL EVENTUALLY BE ENOUGH TO OFFSET WHAT THE
23 RECYCLED TIRES COULD BE BROUGHT TO THE PRODUCT, WE
24 DON'T KNOW WHAT THAT'S GOING TO BE EITHER. SO WE
25 THINK THAT IT CAN BE VERY COMPETITIVE AFTER THE



1 TECHNOLOGY IS DEVELOPED.

2 CHAIRMAN PENNINGTON: WHEN YOU THINK OF
3 COSTS, ARE YOU FIGURING THAT SOMEBODY WILL PAY YOU
4 TO TAKE THESE TIRES? ARE YOU PAYING FOR THEM?

5 MR. LEWIS: WE HAVE MONEY IN THE PROJECT
6 FOR THE TIRES.

7 MS. GILDART: PROCESSING COST.

8 MS. TRGOVCICH: THEY'RE NOT RECEIVING ANY
9 MONEY TO OBTAIN THE TIRES, SO THERE'S NO FEE
10 COMING IN ON THE TIRES.

11 MAYBE JUST TO CLARIFY SOMETHING FOR
12 THE MEMBERS AS WELL, IT'S MY UNDERSTANDING THAT
13 THE CURRENT SPECIFICATIONS WOULD ALREADY ALLOW THE
14 RUBBER TO BE INCORPORATED. WHAT YOU'RE TESTING
15 FOR IS WHETHER OR NOT THE CORPS WOULD THEN BE
16 SPECIFYING THIS MATERIAL IN ITS CONTRACTS?
17 COULD YOU CLARIFY OR AMPLIFY ON
18 THAT? IS THERE A MODIFICATION TO CURRENT
19 SPECIFICATIONS AROUND THE CONSTRUCTION THAT
20 WOULD - -

21 MR. LEWIS: ACTUALLY THE PRODUCT THAT
22 WE'VE DEVELOPED HERE MEETS THE PRESENT CORPS
23 SPECS. HOWEVER, WITH THE ADVANTAGES OF A SUPERIOR
24 PRODUCT, PLUS THE FACT THAT YOU'RE USING, YOU
25 KNOW, A WASTE PRODUCT THAT'S BEING WASTED, WOULD



1 BE AN INCENTIVE TO BOTH THE FEDERAL GOVERNMENT AND
2 THE STATE TO SPECIFY THAT RUBBER BE USED IN THE
3 WALLS.

4 MS. GILDART: I THINK THE DIFFERENCE IN
5 THE PERFORMANCE SPECIFICATIONS AND SORT OF LIKE A
6 RECIPE, THAT THIS DOES MEET THE PERFORMANCE
7 SPECIFICATIONS AS CURRENTLY ESTABLISHED. WHAT WE
8 WOULD LIKE TO SEE IS THAT IT ALSO WORK INTO THE
9 SPECIFICATIONS WHICH SAY WHAT MATERIALS CAN BE
10 USED DIRECTLY, NOT JUST THAT YOU PROVE IT MEETS
11 PERFORMANCE.

12 BOARD MEMBER JONES: SOME OF THE
13 DISCUSSION, AS I REMEMBER, WAS THAT IT ACTUALLY
14 ENHANCED THE PRODUCT.

15 DR. DERUCHER: THAT'S CORRECT.

16 BOARD MEMBER JONES: YOU DO HAVE SOME
17 THINGS TO BASE THIS ON. THE BENTONITE -
18 BENTONITE/PORTLAND CEMENT MIX COSTS, HOW MUCH TO
19 DO SIX-TENTHS OF A MILE WHEN THEY DO THEIR PILOT
20 PROJECT? NOT THE THREE MILES BECAUSE I UNDERSTAND
21 VOLUME IS - - YOU KNOW, WHENEVER I WAS LOSING
22 MONEY, I WANTED MORE VOLUME. BUT SOMEWHERE YOU'VE
23 GOT - - I HEARD A NUMBER EARLY IN THIS PROJECT THAT
24 THEY WERE SPENDING X AMOUNT OF DOLLARS PER MILE
25 FOR BENTONITE SLURRY MIX, AND THIS IS ACTUALLY



1 GOING TO COME IN LESS. IS THAT STILL RINGING

2 TRUE?

3 MR. LEWIS: WELL, YOU ARE NOT COMPARING

4 APPLES AND APPLES BECAUSE THE PROJECT - - THE TEST

5 PROJECT THAT WE'RE PRESENTING, THE SLURRY WALL

6 WILL BE 15 TO 20 FOOT DEEP; WHEREAS, THE WALL THAT

7 IS UNDER CONTRACT 2(A) RANGES FROM 35 TO 50 FOOT

8 DEEP. SO, YOU KNOW, IF YOU HAVE A DEEPER WELL TO

9 POUR, YOU CAN DO IT A LITTLE CHEAPER.

10 LIKE I SAY, THIS IS A NEW PROJECT,

11 SO WE DON'T HAVE GOOD, TIGHT, FIRM NUMBERS YET.

12 WE HAVE ESTIMATES. BEING IN BUSINESS FOR 45

13 YEARS, I KNOW THAT I HAVE ESTIMATED WHAT THE COST

14 OF IT IS GOING TO BE ON THE SAFE SIDE. IF THE

15 PROJECT IS APPROVED, THEN THE FIRST THING I WOULD

16 DO IS GO OUT AND GET THOSE NUMBERS PRUNED DOWN

17 JUST AS TIGHT AS WE CAN.

18 MR. VANDER HEIDEN: TO ANSWER YOUR

19 QUESTION, FOR A THREE-MILE PROJECT, THEY'RE DOING

20 IT AT SIX THIRTY-FIVE A SQUARE FOOT. AND THEN

21 UNDER OUR PROPOSED PROJECT \$7.15 A SQUARE FOOT.

22 THAT'S THAT MUCH BECAUSE PRIMARILY IT'S A SMALLER

23 PROJECT. WHEN YOU HAVE MULTIPLICATION COST AND

24 ALL THAT, YOU GET MORE FOR YOUR MONEY BEING ON

25 SITE.



1 BOARD MEMBER JONES: AND THAT'S A
2 REASONABLE ASSUMPTION. IT COSTS MONEY TO DO A
3 TEST VERSUS SOMETHING THAT'S ALREADY BEEN DONE.

4 DR. DERUCHER: I WANT TO GO BACK AND
5 CLEAR UP ONE POINT. THE REASON THAT WE WILL HAVE
6 THE RESULTS IN THE SPRINGTIME IS BECAUSE ON THIS
7 PARTICULAR LOCATION THAT WE CHOSE WE CAN CONTROL
8 THE LOADING OF THAT PARTICULAR LEVEE. WE CAN FILL
9 IT. WE CAN BRING IT BACK DOWN; WHEREAS, IN
10 ANOTHER TYPE OF LEVEE, WE'D HAVE TO WAIT FOR THE
11 WEATHER. SO IN THIS PARTICULAR CASE, WE HAVE FULL
12 CONTROL OVER IT, AND THAT'S WHY WE CAN DO THAT
13 PARTICULAR PROJECT SO FAST.

14 BOARD MEMBER GOTCH: WHAT IS THE
15 LOCATION?

16 MR. VANDER HEIDEN: LINDA, WHICH IS ALSO
17 A GOOD LOCATION FOR IT BECAUSE OF THE NOTORIETY OF
18 THE '96 BREAK.

19 CHAIRMAN PENNINGTON: JUST NORTH OF MR.
20 CHANDLER'S HOUSE.

21 MR. VANDER HEIDEN: ANOTHER GOOD THING
22 ABOUT THIS ALSO IS THAT LEVEE IS ALSO USED AS
23 IRRIGATION, WHICH DALLAS MAY HAVE MENTIONED
24 ALREADY, IN THE SUMMER. SO THIS WILL CONTINUALLY
25 BE LOADED THROUGHOUT THE YEAR, WHICH IS REALLY



1 GOOD NEWS FOR US.

2 BOARD MEMBER CHESBRO: NEED ANY WALNUTS?

3 MR. VANDER HEIDEN: THAT'S AN ADVANTAGE

4 WHEN YOU'RE LOOKING AT LEVEES AND SEEPAGE VERSUS

5 WAITING FOR A RAINY SEASON WHEN YOU'RE TESTING

6 THAT WAY.

7 BOARD MEMBER GOTCH: YOU'VE BEEN TALKING

8 ABOUT REPAIR RATHER THAN BUILDING NEW LEVEES. ARE

9 YOU PROPOSING TO USE THIS FOR BUILDING NEW LEVEES

10 THROUGHOUT THE STATE? IS THAT SOMETHING YOU WOULD

11 HOPE WOULD WORK?

12 MR. LEWIS: NO. YOU HAVE TO HAVE THE

13 LEVEE THERE TO BEGIN WITH WITH A SLURRY WALL IN

14 IT, SO IT WOULD NOT BE FOR - - WELL, IT COULD BE

15 THAT YOU WOULD BUILD A NEW LEVEE, AND THEN IT

16 NEEDS A SLURRY WALL IN IT.

17 MS. GILDART: THIS SITE HAD SUFFERED

18 BREAKAGE DURING THE LAST FLOODS, AND THE OWNER HAS

19 REBUILT THOSE SECTIONS THAT BROKE THROUGH. AND SO

20 THE SLURRY WALL WOULD BE GOING THROUGH BOTH NEW

21 AND OLD MATERIALS THAT HAVE BEEN PLACED THERE.

22 DR. DERUCHER: I THINK THE OWNER LAST

23 YEAR PUT IN ABOUT \$500,000 TO MAKE A REPAIR.

24 GUESS WHAT? THE REPAIR DIDN'T MAKE IT, AND HE HAS

25 LEAKS NOW. THIS IS AN IDEAL SITUATION FOR US.



1 BOARD MEMBER GOTCH: WHAT IS THE STAFF'S
2 SUPPLEMENTAL FINDING? DO WE KNOW?

3 MS. TRGOVCICH: PERHAPS THE FOLKS FROM
4 CHICO STATE OR IF THEY WOULD LIKE TO SPEAK TO
5 THAT, BUT IT'S MY UNDERSTANDING, MAYBE JUST TO
6 START THIS OFF, THAT THE CORPS HAS AN ANNUAL CYCLE
7 OF FUNDING AND A SIGNIFICANT AMOUNT OF MONEY, IN
8 EXCESS OF 120 MILLION, THAT COMES INTO THIS STATE
9 FOR LEVEE RELATED ITEMS. BECAUSE OF THE FLOODS
10 THAT WERE EXPERIENCED IN THE LAST YEAR, THAT THEIR
11 MONEY IS ALL TIED UP. AND SO MAYBE WE CAN GO FROM
12 THERE IN TERMS OF AVAILABILITY, WHAT DO WE
13 ANTICIPATE AVAILABILITY OF FUNDING TO BE.

14 MR. VANDER HEIDEN: EXACTLY. THAT'S - -
15 THE DIFFICULT PART ABOUT IT IS THE TIMING IN THE
16 SENSE THEY'RE JUST NOW CONTINUALLY TRYING TO JUST
17 REPAIR AFTER THE DISASTERS OF LAST YEAR.
18 PRIMARILY WE'RE LOOKING AT EL NINO, WE'RE GOING TO
19 BE HAVING ANOTHER VERY TOUGH WINTER. LEVEES WILL
20 BE EVEN MORE IN THE NEWS NEXT YEAR.
21 THAT'S ONE OF THE PROBLEMS THAT WE
22 HAD EVEN GETTING DALLAS TO INTERVIEW ALL OF THESE
23 FOLKS BECAUSE OF THE TIME SCHEDULES. THEY WERE
24 VERY WILLING AND INTERESTED IN THIS PARTICULAR
25 PROJECT, AND THEY WANT TO PUT SOMEONE ON IT. IT'S



1 JUST A MATTER OF WORKING WITH THEM FOR FINANCES OF
2 NEXT YEAR. THEN A YEAR OUT PEOPLE WERE LOOKING AT
3 MAYBE 30 MILES OF LEVEES TO BE DONE NEXT YEAR, AND
4 THEN YOU'RE A YEAR BEHIND BECAUSE THIS PARTICULAR
5 APPLICATION EMPTIES OUT IN OCTOBER AND THEN IT'S
6 USED FOR FLOOD IRRIGATION AND FLOOD CONTROL AND
7 CONTACT IRRIGATION FOR FARMLANDS IN THE SPRING.

8 SO THIS IS A PERFECT APPLICATION;
9 WHEREAS, IF YOU WERE TO PICK ANOTHER SITE OR
10 SOMEPLACE ELSE, OR LOOK AROUND, YOU MIGHT HAVE
11 CONTRIBUTING FUNDS, AND WE MIGHT HAVE TO WAIT TWO
12 YEARS AND FIND OUT. IN FACT, OKAY, FINE, THAT WE
13 LOST TWO OR THREE YEARS OF LEVEE CONSTRUCTION.

14 MS. TRGOVCICH: THAT ASPECT IS THAT IN
15 YOUR ALLOCATION ACTION FOR FISCAL 7-8 WAS \$409,000
16 WAS FOR A DEMONSTRATION PROJECT IN THE EVENT THAT
17 IN YOUR CONSIDERATION YOU FELT THAT THE
18 FEASIBILITY STUDY WAS SUCCESSFUL, SO THE
19 UNIVERSITY AND THEIR SUBCONTRACTOR HAS PROPOSED A
20 PROJECT SIZE HERE AS A DEMONSTRATION PROJECT, AND
21 THAT COST IS HIGHER THAN THE \$409,000.
22 THE UNIVERSITY AND ITS SUBCONTRACTOR
23 COULD CONSIDER SCALING BACK THE SIZE OF THAT
24 DEMONSTRATION PROJECT TO COME WITHIN BUDGET, AND
25 THAT'S SOMETHING THAT LEGAL CAN COMMENT ON,



1 WHETHER OR NOT THAT WOULD AFFECT THE OUTCOME OF
2 THE TESTING, WHETHER OR NOT THE CORPS WOULD THEN
3 SEE THAT AS A VALID DEMONSTRATION, ETC. I DON'T
4 KNOW IF THE SIZE WAS THEN LINKED BACK TO CORPS
5 ACCEPTANCE.
6 ANOTHER POSSIBILITY WOULD BE
7 POTENTIALLY TO HOLD OFF ON THIS UNTIL SPRING, SEE
8 IF ADDITIONAL FUNDING IS MADE AVAILABLE. IT'S MY
9 UNDERSTANDING THAT GIVEN THE WORK THAT'S CURRENTLY
10 BEING DONE IN THE STATE RIGHT NOW, THAT THAT IS
11 UNLIKELY IN THIS FISCAL YEAR.

12 ANOTHER OPTION THAT YOU HAVE BEFORE
13 YOU IS TO LOOK AT OTHER ALLOCATIONS THAT YOU HAVE
14 MADE WITHIN THE TIRE FUND, AND YOU MAY WISH TO
15 REDIRECT SOME OF THOSE FUNDS INTO THIS PROJECT.

16 BOARD MEMBER RELIS: MR. CHAIR, IN LIGHT
17 OF THAT COMMENT, MY INCLINATION - - WELL, FIRST, A
18 COUPLE OF THOUGHTS. WE DON'T OFTEN . - I MEAN THIS
19 BOARD HAS SPENT A LOT OF MONEY ON DEMONSTRATION
20 PROJECTS OVER THE YEARS. WE DON'T USUALLY HAVE A
21 LETTER FROM THE HEAD OF - - DIRECTOR OF SOILS
22 MECHANICS INFORMATION FOR THE ARMY CORPS OF
23 ENGINEERS WITH AN URGENT PROBLEM AT HAND, WHICH IS
24 WHERE - - WELL, WE KNOW 30 MILLION - - 30 MILES OF
25 LEVEE WITH THE POTENTIAL TO USE FIVE MILLION TIRES



1 Is THERE.
2 so I MEAN WE HAVE A REAL - - AND WE
3 HAVE A TEST RUN, A BENCH SCALE TEST, THAT SAYS WE
4 MEET SPECS. NOW, MY FIRST CHOICE WOULD BE TO, IF
5 THE PROJECT COULD BE SCALED, AND IT WAS STILL BONA
6 FIDE WITH - - TO ASSURE THAT WE COULD DO THE
7 PROJECT, THAT'S THE MOST IMPORTANT THING. I WOULD
8 NOT WANT TO SEE THIS PROJECT JEOPARDIZED ON THE
9 BASIS OF CONTINGENT UPON OTHER FEDERAL BECAUSE
10 THAT'S A VERY COMPLICATED, UNCERTAIN PROCESS.
11 ANYONE WHO'S BEEN INVOLVED IN SEEKING FEDERAL OR
12 STATE MONEY, COUNTY MONEY - - I MEAN THE GOVERNMENT
13 PROCESS, IT ISN'T NECESSARILY THAT QUICK OR
14 CERTAIN.
15 WE HAVE A CERTAIN NEED: WE HAVE A
16 CERTAIN AMOUNT OF MONEY. AND SO WHAT IS THE
17 LIKELIHOOD THAT A SOMEWHAT REDUCED PROJECT
18 WOULD - - COULD BE DONE WITH THE EXACT AMOUNT OF
19 MONEY WE HAVE?

20 MR. VANDER HEIDEN: ON THIS PARTICULAR
21 SITE, FOR SIX-TENTHS OF A MILE, WE HAVE VERY - -
22 NOW, THIS LEVEE GOES ON FOR MILES. THIS IS THE
23 BAD AREA. SO WHAT WE WOULD BE DOING IS TAKING
24 PART OF THAT SIX-TENTHS AND REPAIRING IT AND
25 LEAVING THE OTHER PART ABANDONED. AND WE'RE



1 CONCERNED ABOUT POSSIBLY DIRECTING WATER DOWN TO
2 THE BAD PART AND CAUSING GREATER PROBLEMS BY NOT
3 FIXING IT COMPLETELY, FURTHERMORE DEMONSTRATING
4 KIND OF WHAT THE CORPS DOES IN REGARDS TO THEIR
5 PROJECTS WITH THEIR SIZE AND SCALE.
6 SO THAT WAS ONE OF THE MAJOR REASONS
7 IN TRYING TO FIX THE PROBLEM AND NOT JUST DO PART
8 OF IT BECAUSE WHAT IF IT DOESN'T WORK AND THEN
9 HAVING THIS LEACH OUT FARTHER ON DOWN THIS
10 PARTICULAR LEVEE AND MAYBE CREATING A PROBLEM
11 POSSIBLY INSTEAD OF SOLVING ONE.

12 MR. LEWIS: LET ME INTERJECT HERE. ONE
13 THING THAT WOULD BE POSSIBLE, IN OTHER WORDS, WE
14 HAVE NOT YET DONE THE CORE TESTING OF THE LEVEE.
15 AND IT MIGHT WELL BE THAT WHEN WE DID THAT, WE
16 WOULD FIND THAT WE COULD DO A SHORTER SECTION.
17 MIGHT BE A GAP BETWEEN THE SEEPAGE AREAS. AND, OF
18 COURSE, IF THAT WAS THE CASE, WE COULD DO A
19 SHORTER SECTION OF THE LEVEE.

20 MR. VANDER HEIDEN: ONE OTHER POINT, WE
21 HAVE THIS 20 FEET TO 15 FEET, THERE'S A HUNDRED
22 THOUSAND - - 116 THERE RIGHT ALONE. AND THAT'S
23 VERY, VERY POSSIBLE IN THIS BECAUSE THIS IS ONLY
24 ABOUT 7 TO 10 FOOT LEVEE HEIGHT. 7 TO 12. SO WE
25 MAY NOT HAVE TO KEY IN ANOTHER 10 FEET DOWN



1 UNDERNEATH THE CLAY. THAT'S WHY THAT SOIL SAMPLE
2 IS SO VALUABLE AND CRITICAL IN ORDER TO DETERMINE
3 HOW DEEP YOU HAVE TO GO.

4 DR. DERUCHER: WE MAY ALSO FIND THAT THE
5 SOIL THAT'S THERE IS, WHEN WE MIX IT WITH
6 BENTONITE AND THE PORTLAND CEMENT AND PUT THE
7 RUBBER IN, IS GOING TO BE ADEQUATE, AND WE DON'T
8 HAVE TO HAUL IN ADDITIONAL MATERIAL. AND AGAIN,
9 ANOTHER SAVINGS ASSOCIATED WITH THAT.

10 BOARD MEMBER JONES: TALK ABOUT HAULING
11 IN OTHER MATERIAL. WHAT KINDS OF MATERIAL?

12 DR. DERUCHER: CLAY MATERIAL, IMPERVIOUS
13 CLAY.

14 BOARD MEMBER JONES: WHEN YOU SAY 10 FEET
15 INSTEAD OF 15 FEET -

16 MR. VANDER HEIDEN: INSTEAD OF 20, GO TO
17 15.

18 BOARD MEMBER JONES: THAT'S STILL WITHIN
19 THE CORPS STANDARD BASED ON WHATEVER THE CORE
20 SAMPLES ARE, CORRECT?

21 MR. LEWIS: WHAT YOU HAVE TO DO IS YOU
22 HAVE TO GO THROUGH THE PERVIOUS STRATUM DOWN INTO
23 THE CLAY BED AND BENCH AND CORE INTO THAT, KEY IT
24 INTO THAT. SO IF THE CLAY WENT THROUGH THE
25 IMPERVIOUS STRATUM INTO THE CLAY BED OR SHALLOWER



1 DEPTH, IF YOU LOOK AT - -
2 BOARD MEMBER JONES: THAT'S COOL. THAT'S
3 GOOD. IT'S OKAY. IT'S ALL RIGHT.
4 I HAVE ANOTHER - I HAVE TWO
5 QUESTIONS, AND THEN I'M GOING TO - - THERE ARE SOME
6 AREAS THAT MAYBE WE CAN LOOK. DEPENDS ON THE
7 BOARD AND THEY'RE MATCHING MONIES THAT GOT PUT
8 AWAY FOR A CENTRALIZED PROCESSING FACILITY TO HELP
9 US WITH OUR TESTING FOR COGEN PLANTS. WE HAVE TWO
10 HUNDRED GRAND PUT AWAY. WE HELD IT AS A MARKER.
11 I'M NOT SAYING I WANT TO GIVE IT AWAY YET.
12 I HAVE A COUPLE QUESTIONS. WHEN WE
13 DID THIS . - WHEN WE DID THIS MOTION, IT WAS TO DO
14 THE FEASIBILITY, AND BASED ON THE FEASIBILITY, TO
15 CONTINUE WITH THE PILOT PROGRAM OR TO INITIATE THE
16 PILOT PROGRAM.
17 THE - - I HAVE TWO - - THREE ACTUAL
18 MAIN QUESTIONS THAT ARE SUPPOSED TO BE GERMANE TO
19 THIS DISCUSSION. I UNDERSTAND THAT THE TIRES MAKE
20 THE PRODUCT. THEY ADD VALUE TO THE PRODUCT
21 BECAUSE THIS WON'T WORK IF IT'S JUST - - THIS IS
22 REALLY GOOD TO DO FOR THE ENVIRONMENT. THERE HAS
23 TO BE - - THIS HAS TO BE BETTER THAN WHAT THEY'VE
24 GOT. IS THAT REASONABLE? I NEED SOME KIND OF - -
25 DR. DERUCHER: THAT'S TRUE. WE END UP



1 WITH A GREATER FLEXIBILITY WITH EARTH MOVEMENT.

2 WE ALSO HAVE AN INCREASE IN THE COMPRESSIVE

3 STRENGTH, AND IT DOES ADD VALUE TO YOUR PARTICULAR

4 PROJECT,

5 BOARD MEMBER JONES: SO THAT'S - - OKAY.

6 THERE ANY DOWN SIDES?

7 DR. DERUCHER: NONE THAT I FOUND.

8 BOARD MEMBER JONES: GOOD. THAT'S . -

9 DR. DERUCHER: I WAS HAPPY WITH THE

10 STUDY. I'M WILLING TO PUBLISH.

11 BOARD MEMBER JONES: THE CHIP SIZE, YOU

12 HAD FOUR DIFFERENT TYPES OF CHIPS THAT YOU USED

13 THROUGH THE TEST. DID YOU DETERMINE THAT 2-INCH

14 WILL WORK JUST AS WELL AS THREE-EIGHTHS, OR HAVE

15 YOU DETERMINED - . THOSE ARE SMALL, BUT I MEAN -

16 TWO INCHES IS CHEAPER THAN THREE-EIGHTHS. THIS

17 WILL WORK WITH TWO-INCH, SO WE KEEP OUR COST DOWN

18 ON THE MATERIAL SIDE.

19 DR. DERUCHER: YES. YOU HAVE TO BE

20 CAREFUL ON YOUR MIX DESIGN, OF COURSE. SOMETIMES

21 WATCH THE PERMEABILITY, BUT THE MIX DESIGN WAS FOR

22 TWO. YES, WE'RE OKAY WITH THAT.

23 BOARD MEMBER JONES: AND THEN WE'RE

24 LOOKING AT, I THINK, OVER A MILE. WE'RE SAYING

25 THAT 2,350 TONS, 232,000 TIRES - - I CAN'T READ. I



1 HAVE TWO SETS OF GLASSES, AND I STILL CAN'T SEE.

2 MR. VANDER HEIDEN: 235,000 TIRES.

3 BOARD MEMBER JONES: 235,000 TIRES PER

4 MILE. I LOVE IT. OKAY.

5 THE CORPS - - ALL THE LETTERS SAY

6 THEY'RE INTERESTED IN DOING THIS. YOU KNOW, I

7 WOULD - - I'M GLAD - - I THINK IN PART I'M - -

8 MARTHA, I'M PLEASED THE WAY THIS WENT. I GOT TO

9 TELL PEOPLE, THESE FOLKS - - THIS WAS BOARD MEMBER

10 GOTCH'S IDEA. SHE GOT IT TURNED OVER TO PAUL'S

11 OFFICE, AND FITZ BROUGHT THESE FOLKS IN, AND BOB'S

12 OFFICE AND WESLEY'S OFFICE AND CHAIRMAN'S OFFICE

13 WERE INVOLVED IN TRYING TO SEE. AND WE KIND OF

14 PUT PARAMETERS ON THESE PEOPLE AND SAID DON'T KEEP

15 COMING TO THE BOARD MEMBERS' OFFICE BECAUSE IT'S

16 GOING TO JEOPARDIZE YOUR PROJECT. THIS HAS TO FLY

17 ON ITS OWN, AND IT LOOKS LIKE IT DOES OR SURE

18 LOOKS LIKE IT DOES TO ME.

19 IF - - BECAUSE OF THOSE COSTS AND

20 BECAUSE OF THE ESTIMATES THAT YOU GOT, I'M SURE

21 THAT THERE ARE PEOPLE THAT HAVE EXCEEDED WHAT

22 THEY - - TO PROTECT THEMSELVES ON THE CONTRACT HAVE

23 EXCEEDED WHAT THEY THINK OR WHAT THIS IN REALITY

24 WILL COST.

25 MY QUESTION IS IS THIS A FIXED-COST



1 CONTRACT, OR DO WE HAVE FLEXIBILITY THAT IF HAVE
2 WE FUND THIS THING TO A CERTAIN LEVEL, AND LET'S
3 SAY A GRINDER DOES NOT BREAK DOWN, SO THE MONEY
4 THAT HE PUT ASIDE TO RENT ANOTHER MACHINE UNDER
5 THE TIME CONSTRAINTS, THOSE TYPES OF THINGS, DON'T
6 GET SPENT, WHERE DOES THAT MONEY GO?

7 DR. DERUCHER: THAT MONEY WOULD GO BACK
8 TO YOU.

9 BOARD MEMBER JONES: GOOD ANSWER.

10 DR. DERUCHER: IT IS THE ONLY POSSIBLE
11 ANSWER I CAN GIVE YOU.

12 MR. LEWIS: BY THE WAY, BEFORE I FORGET
13 IT, RAY WILLIAMS, WHO IS THE CHIEF, PHASE III
14 RESTORATION BRANCH FOR SACRAMENTO, HAD WANTED TO
15 ATTEND THIS MEETING TODAY TO SHOW HIS INTEREST IN
16 THE PROJECT, WAS NOT ABLE TO COME BECAUSE HE AND
17 ALL THE OTHER CHIEFS HAD A SPECIAL MEETING TODAY
18 WHICH PREVENTED HIM FROM COMING TO YOUR MEETING.
19 BUT HE FULLY INTENDED TO COME AND SUPPORT THE
20 PROJECT.

21 DR. DERUCHER: WE GAVE YOU A PRICE OF
22 WHAT WE BELIEVE WILL BE THE MAXIMUM PRICE. THE
23 UNIVERSITY WILL STAND BY ITS PRICE. IF YOU WANT
24 TO GIVE US A CONTRACT THAT SAYS NOT TO EXCEED,
25 WE'LL ACCEPT THAT.



1 BOARD MEMBER JONES: AND THE STUFF WILL
2 COME BACK IF WE CAN GET IT.

3 DR. DERUCHER: OR MAYBE WHAT'S LEFT.

4 BOARD MEMBER JONES: CONTRACT PEOPLE.

5 BOARD MEMBER GOTCH: LET ME ASK A QUICK
6 FUNDING QUESTION WHILE WE'RE ON THIS. THAT IS,
7 WHAT'S THE LIKELIHOOD OF OTHER STATE AGENCIES
8 KICKING IN SOME MONEY, WATER RESOURCES, AG? I
9 DON'T KNOW.

10 MR. LEWIS: RESTORATION BOARD IS OPEN TO
11 THAT.

12 MS. GILDART: IT'S A MATTER OF TIMING.
13 WE COULD GET THIS STARTED AND GO AND TALK TO THEM.
14 THERE'S A POSSIBILITY. IF WE WANTED - - IF THE
15 BOARD WANTED TO PROCEED THIS FALL, I WOULDN'T
16 COUNT ON IT. WE CAN INVESTIGATE IT.

17 BOARD MEMBER GOTCH: YES. OKAY.

18 BOARD MEMBER JONES: FOLLOWING UP ON
19 JANET'S QUESTION, MAYBE FOR THE PEOPLE THAT KNOW
20 THIS STUFF. WHAT IF WE STARTED A PROJECT LIKE
21 THIS AND GOT INTEREST FROM ANOTHER AGENCY? IS
22 THERE ANY CHANCE THAT THIS WOULD PIQUE THEIR
23 INTEREST? OR WILL THEY SAY, "YOU'RE PAYING FOR
24 IT. IT'S ALL YOURS"? YOU NEVER KNOW OR WHAT?

25 CHAIRMAN PENNINGTON: IT'S LIKE US.



1 THEY'VE GOT A BUDGET, AND THEY'RE GOING TO TRY TO
2 PROBABLY LIVE WITHIN THEIR BUDGET. PROBABLY DON'T
3 HAVE MONEY. IF THEY SEE WE'RE DOING IT, THEY'RE
4 GOING TO SAY GOOD JOB THERE.

5 MS. TRGOVCICH: WE CAN CERTAINLY LET THEM
6 KNOW. I KNOW THAT THE CHICO STATE FOLKS HAVE BEEN
7 IN TOUCH WITH A NUMBER OF AGENCIES. WE COULD, AS
8 A SPONSOR ENTITY, ALSO GET IN TOUCH WITH THE OTHER
9 AGENCIES, THE WATER RESOURCES AND OTHER AGENCIES,
10 AND LET THEM KNOW WHAT WE'RE DOING, SOLICIT
11 PARTICIPATION, AND DO ALL THAT, AND UNDERLINE WE
12 ARE LOOKING FOR CONTRIBUTIONS. I WOULDN'T HOLD MY
13 BREATH.

14 MR. CHANDLER: THE OTHER EFFICIENCY THAT
15 WE HAVEN'T LOOKED AT EITHER IS TO SEE IF THERE'S
16 ANY CONNECTION BETWEEN THE NORTHERN CALIFORNIA
17 CLEANUPS THAT WE MIGHT BE INVOLVED IN, HAVING
18 TIRES DIRECTED SUCH THAT WE ACTUALLY HAVE SUKUT
19 SUBCONTRACTING TIRES SHREDDED. THAT PERFORMS SOME
20 EFFICIENCIES ON HOW THEY COST OUT A PROJECT NOW
21 THAT THEY HAVE A HOME FOR USES.

22 BOARD MEMBER JONES: LEGACY TIRE PILE AND
23 JUST FEED IT.

24 MS. TRGOVCICH: WE'VE ALSO BEEN LOOKING
25 INTO THAT RIGHT NOW. THE ZONE'S ASSISTANCE



1 SECTION WITHIN THE DIVISION HAS BEEN WORKING WITH
2 CHARLENE HERBST AND ALL HER FOLKS ON THE CLEANUP
3 SITE AND IDENTIFYING POTENTIAL SITES. AND WHERE
4 YOU'RE LOOKING AT THE BOARD PAYING THE CLEANUP
5 COST, POTENTIALLY TRYING TO SHRED THE MATERIAL, IF
6 IT IS GOING TO LANDFILL, YOU'RE LOOKING AT
7 SIGNIFICANT EFFICIENCY FOR US AS THE BOARD.

8 BOARD MEMBER JONES: RIGHT.

9 CHAIRMAN PENNINGTON: MARTHA, HAVE YOU BY
10 ANY CHANCE TALKED WITH THE SCRAP TIRE MANAGEMENT
11 COUNCIL?

12 BOARD MEMBER RELIS: MR. CHAIR, I URGE
13 THAT YOU CONTACT THEM IMMEDIATELY.

14 CHAIRMAN PENNINGTON: TO SEE IF THE
15 MANUFACTURERS OF THESE WASTE TIRES WOULD LIKE TO
16 MAKE A CONTRIBUTION TO - -

17 MS. GILDART: GIVE THEM A CALL TOMORROW.

18 MS. TRGOVCICH: A REAL IMPORTANT POINT IS
19 THERE ARE AN AWFUL LOT OF PROJECTS TO UNDERTAKE
20 HERE. IF WE ARE TO PROCEED WITH THIS, WE'RE
21 LOOKING AT A THREE-MONTH PROJECT COMPLETION IN
22 TERMS OF CONSTRUCTION.

23 BOARD MEMBER JONES: MR. CHAIRMAN, IF IT
24 WOULD NOT BE TOO PRESUMPTUOUS ON MY PART, I WOULD
25 LIKE TO HAVE THE BOARD CONSIDER THE IDEA OF



1 REALLOCATING THAT \$200,000 FROM, IT WAS - - I THINK
2 IT WAS - -

3 MS. TRGOVCICH: END USE PROCESS AND
4 FACILITY EVALUATION.

5 BOARD MEMBER JONES: SEE, I LOVE OUR
6 STAFF. THAT LINE ITEM, PUT IT IN WITH THIS 409 TO
7 FUND THIS PROJECT, CALL THE SCRAP TIRE MANAGEMENT
8 PEOPLE, AS YOU HAVE SAID, BUT FUND IT TO \$609,000
9 WITH THE - - WE'LL WORK ON WHAT THOSE DOLLARS ARE,
10 COME BACK OR WHATEVER WE CAN DO. AND THIS ONLY
11 BECAUSE WE DON'T HAVE ENOUGH MONEY TO FUND THE
12 WHOLE THING, SO WE'RE GOING ON A STRETCH PULLING
13 FROM SOMEWHERE ELSE, AND I DON'T WANT TO DO THAT
14 WITHOUT MAKING SURE WE CAN GET SOMETHING -

15 CHAIRMAN PENNINGTON: THAT GIVES THEM
16 609 . - 664.

17 BOARD MEMBER RELIS: UP TO. IF WE WERE
18 TO MAKE - - WAS THAT A MOTION?

19 BOARD MEMBER JONES: IT IS, LOOSELY
20 WORDED.

21 BOARD MEMBER RELIS: THAT WE SEEK THE
22 PARTICIPATION OF THE SCRAP TIRE COUNCIL SO THAT IT
23 HAS THE WEIGHT OF, LOOK, THIS IS YOUR INDUSTRY AND
24 WE'RE SOLVING - - TRYING TO SOLVE A PROBLEM.

25 BOARD MEMBER JONES: THAT'S PART OF MY



1 MOTION, THAT WE ALSO CONTACT THE SCRAP TIRE

2 MANAGEMENT PEOPLE AND ASK THEM TO PARTICIPATE.

3 BOARD MEMBER GOTCH: I'LL SECOND.

4 CHAIRMAN PENNINGTON: WE HAVE A MOTION TO

5 FUND THE - - TO ACCEPT THE REPORT OF THE

6 FEASIBILITY STUDY AND TO FUND THE CONTINUATION OF

7 THE DEMONSTRATION PROJECT UP TO 609,000 AND

8 INSTRUCTING STAFF TO CONTACT THE SCRAP TIRE

9 MANAGEMENT COUNCIL TO SEEK THEIR FINANCIAL SUPPORT

10 OF THIS PARTICULAR PROJECT AS WELL.

11 IF THERE'S -

12 MR. CHANDLER: SO IF I COULD BE SO

13 PRESUMPTUOUS, COULD WE HAVE THE AUTHORIZATION TO

14 664 WITH FUNDING FROM THE TIRE FUND AT 609, AND

15 THAT WOULD GIVE US SOME LEVERAGE IN OUR

16 NEGOTIATIONS WITH THE SCRAP TIRE COUNCIL FOR THEIR

17 CONTRIBUTION FOR THE DIFFERENCE? IF WE'RE

18 SUCCESSFUL, OR IF WE'RE NOT, THEY'RE NOT LIMITED

19 TO WHAT WE DO HAVE ALLOCATED.

20 CHAIRMAN PENNINGTON: I'LL RESTATE THE

21 MOTION TO BE THAT WE ACCEPT THE REPORT OF THE

22 FEASIBILITY STUDY, AND THAT WE WILL CONTINUE THE

23 FUNDING OF THE DEMONSTRATION PROJECT UP TO

24 \$664,750, INSTRUCTING STAFF TO CONTACT THE SCRAP

25 TIRE MANUFACTURERS COUNCIL TO SEEK ADDITIONAL



1 FUNDING.

2 BOARD MEMBER RELIS: POINT OF
3 CLARIFICATION. BY REFERENCING SCRAP TIRE
4 MANAGEMENT COUNCIL, IS THIS INCLUSIVE OF THE
5 INDUSTRY? IS THAT SYNONYMOUS WITH THE TIRE
6 INDUSTRY?

7 CHAIRMAN PENNINGTON: THEY'RE ACTUALLY
8 FUNDED BY THE RUBBER MANUFACTURERS.

9 BOARD MEMBER GOTCH: OF COURSE, THE OTHER
10 STATE AGENCIES JUST IN CASE.

11 CHAIRMAN PENNINGTON: RIGHT. OTHER STATE
12 AGENCIES. ANY OTHER WILLING PARTICIPANT.

13 BOARD MEMBER JONES: WE'RE FUNDED TO 609.
14 WE'VE ALLOCATED TO 609.

15 CHAIRMAN PENNINGTON: OKAY. IF THERE'S
16 NO FURTHER DISCUSSION, WILL THE SECRETARY CALL THE
17 ROLL.

18 BOARD SECRETARY: BOARD MEMBER CHESBRO.

19 BOARD MEMBER CHESBRO: AYE.

20 BOARD SECRETARY: FRAZEE.

21 BOARD MEMBER FRAZEE: AYE.

22 BOARD SECRETARY: GOTCH.

23 BOARD MEMBER GOTCH: AYE.

24 BOARD SECRETARY: JONES.

25 BOARD MEMBER JONES: AYE.



1 BOARD SECRETARY:RELIS.
2 BOARD MEMBER RELIS: AYE.
3 BOARD SECRETARY:CHAIRMAN PENNINGTON.
4 CHAIRMAN PENNINGTON: AYE.
5 BOARD MEMBER GOTCH: ONE QUESTION.
6 MS. TRGOVCICH: MR. CHAIRMAN - -
7 BOARD MEMBER GOTCH: THE QUESTION, WHAT'S
8 THE NEXT STEP? WHAT DO WE HEAR NEXT?
9 MS. TRGOVCICH: MAYBE - - THANK YOU VERY
10 MUCH. THAT'S PERFECT. I WANTED TO GO THERE.
11 IN TERMS OF NEXT STEPS, ONE OF THE
12 FIRST THINGS WE WANT TO DO IS WORK WITH THE LEGAL
13 OFFICE TO MAKE SURE THAT WITHIN THE CONTEXT OF THE
14 TITLE THAT WAS ON TODAY'S AGENDA, THAT WE DON'T
15 NEED PERHAPS A CLARIFYING ACTION NEXT MONTH ON THE
16 REALLOCATION OF THE FUNDS. SO WE WILL BE WORKING
17 WITH THE LEGAL OFFICE. WE HAVE YOUR MOTION, THE
18 INTENT OF THE BOARD. IT MAY BE THAT WE NEED TO
19 BRING A CLARIFYING ITEM BEFORE YOU NEXT MONTH TO
20 MAKE EVERYTHING - - PUT EVERYTHING IN ORDER. SO
21 THAT WILL BE THE FIRST ORDER OF BUSINESS ON OUR
22 PART.
23 THE NEXT ORDER WILL BE TO ENTER INTO
24 THE AGREEMENT WITH CHICO STATE, WHICH WILL HAVE TO
25 BE DONE VERY RAPIDLY, AND I'LL TURN IT OVER TO

250



1 MARTHA TO GIVE YOU SOME MORE DETAIL ON THAT.

2 MS. GILDART: WE'LL HAVE TO DEVELOP AN
3 INTERAGENCY SPECIFYING THE SITE AND THE SIZE, WHAT
4 THE MATERIAL SOURCE IS, AND THINGS LIKE THAT.
5 TYPICALLY SOMETHING LIKE THAT WOULD COME TO THE
6 ADVISORS JUST FOR THEIR OKAY AND THEN WOULD BE
7 ENTERED INTO DIRECTLY.

8 MS. TRGOVCICH: WE WILL BE SEEKING A VERY
9 EXPEDITED REVIEW OF THE PROJECT. WE WILL BE UNDER
10 VERY TIGHT TIME LINES BECAUSE OF THE RAINY SEASON.
11 SO THE SCOPE OF WORK WILL BE REQUESTED ON VERY
12 SHORT ORDER.

13 CHAIRMAN PENNINGTON: VERY GOOD. THANK
14 YOU.

15 NOW WE MOVE TO ITEM - -

16 BOARD MEMBER JONES: CONGRATULATIONS
17 BECAUSE THIS IS GOOD STUFF. THIS IS A WHOLE NEW
18 AREA, A GOOD - - AND GOOD COOPERATION.

19 CHAIRMAN PENNINGTON: MOVE TO ITEM 50.
20 OKAY. MOVING ON TO ITEM 50, WHICH IS OPEN
21 DISCUSSION, MR. EVAN EDGAR WISHES TO DISCUSS HIS
22 COMPOST MANIFESTO, "LOCAL GOOD FOR THE COMMON
23 COMPOSTER."

24 MR. VANDER HEIDEN: MY NAME IS EVAN EDGAR ON
25 BEHALF OF EDGAR ASSOCIATES ON BEHALF OF THE



1 CALIFORNIA REFUSE REMOVAL COUNCIL. I WANT TO
2 DISCUSS THE GOOD OF COMPOST. THIS HAS BEEN A BIG
3 DAY FOR COMPOST. TODAY YOU APPROVED A COUPLE
4 PERMITS WITH A STIPULATION DOWN IN SANTA CLARA,
5 AND CCQC HAS RELEASED ITS FINAL REPORT. TOMORROW
6 I'LL BE DROPPING THAT OFF. AND CCQC HAD A LOT OF
7 GOOD SUPPORT FROM THE WASTE BOARD OVER THE LAST
8 YEAR, AND THAT'S A HUGE BENCHMARK.
9 BUT THERE'S A LOT OF GOOD THINGS
10 HAPPENING IN THE COMPOST INDUSTRY. TO LIST THEM,
11 WITH REGARDS TO TODAY, INCLUDES THE STORAGE REGS
12 FOR COMPOST, WHICH WAS A BIG BENCHMARK FOR
13 REGULATORY EQUITY. THE MARKET DEVELOPMENT PLAN
14 HAS A 70-PERCENT TARGET, AND I THINK WE'RE FOCUSED
15 ON GETTING THAT. SUCCESSFUL COMPOST DEMONSTRATION
16 PROJECT HAS BEEN MENTIONED IN THE GLOBAL MANUAL
17 FOR RECYCLING MANAGED WASTE. CCQC HAS DELIVERED A
18 FINAL REPORT.
19 A TRAINING PROGRAM YOU JUST GOT DONE
20 WITH WAS VERY SUCCESSFUL WITH LEA'S IN THE COMPOST
21 INDUSTRY AND THE WASTE BOARD, AND WE HAVE
22 CONCURRENCE WITH NUMEROUS SOLID WASTE PERMITS FOR
23 COMPOST. SO A LOT OF GOOD THINGS ARE HAPPENING.
24 THE INDUSTRY HAS GONE A LONG WAYS
25 OVER THE '80S AND '90S. WE'VE GONE THROUGH OUR



1 TEENAGE YEARS TO MATURITY, WHERE I THINK WE CAN
2 SEE TO RECOGNIZE THIS BENCHMARK AND FINE-TUNE IT.
3 WE ARE A DEVELOPING INDUSTRY. I DON'T THINK
4 THERE'S ANY MORE EXCUSES. I THINK THAT WE'RE
5 MOVING FORWARD IN A POSITIVE MANNER.
6 SO TODAY I WANT TO TALK ABOUT THE
7 LINKAGES BETWEEN PROCESSING, MARKETS, AND
8 COMPLIANCE. IT'S THE KEY LINKAGE. FITZ
9 FITZGERALD HAS DONE A GREAT GRAPHIC I HAVE IN THE
10 PACKAGE. THIS PACKAGE I HAVE INSIDE OF HERE WAS
11 DEVELOPED BY MR. RELIS' OFFICE FOR THE TRAINING
12 PROGRAM. IT WAS WELL RECEIVED AND TALKS ABOUT THE
13 LINKAGE BETWEEN MARKETS AND PERMITS.
14 AND IN TODAY'S - - JUST TODAY DURING
15 THE WASTE BOARD MEETING, I HEARD THINGS AS QUALITY
16 SUPPLIED MATERIALS FROM MR. CHESBRO ABOUT WE
17 NEEDED TO HAVE QUALITY, AND QUALITY WAS A KEY
18 TOPIC IN THE MARKETPLACE. AND AS ACTING CHAIRMAN
19 OF THE CALIFORNIA COMPOST QUALITY COUNCIL, WE'VE
20 MADE A LOT OF HEADWAY IN THE MARKET DEVELOPMENT
21 ARENA.
22 THIS WEEK CALTRANS PRODUCED A
23 SPECIFICATION THAT ALL COMPOST AND MULCH MUST COME
24 FROM A PERMITTED WASTE BOARD FACILITY, AND THEY'RE
25 RECOMMENDING THAT IT BE REGISTERED WITH CCQC. ON



1 DECEMBER 29TH IN NAPA, WE'RE GOING TO HAVE ANOTHER
2 PUBLIC EVENT WITH NAPA GARBAGE SERVICE TO REGISTER
3 ANOTHER COMPOST PRODUCT WITH THEM. BOARD MEMBER
4 CHESBRO AND GOTCH ARE COMING UP TO DO THAT EVENT.
5 SO THERE'S A LOT OF GOOD THINGS OUT THERE.
6 SO WITH REGARDS TO THE MARKET
7 DEVELOPMENT ASPECTS, THERE IS A WASTE BOARD LIST
8 OUT THERE, WHICH I INCLUDED AS AN ATTACHMENT.
9 WITHIN THE WASTE BOARD LIST THEY MENTION A LOT OF
10 COMPOST PRODUCERS, MULCH PRODUCERS, GOOD ACTORS,
11 AND BAD ACTORS. I THINK LAST MONTH WE DID HAVE A
12 SPECIAL BOARD MEETING ABOUT MANTECA. WE TALKED
13 ABOUT THE NEED TO DO BETTER, THE NEED FOR
14 COMPLIANCE, THE NEED FOR ENFORCEMENT, AND THE NEED
15 TO DO BETTER.
16 WHAT I'M RECOMMENDING IN MY LETTER
17 TODAY IS COMPOST AND MULCH SOURCES TO PARLAY OFF
18 OF THE CALTRANS LIST. CALTRANS MADE A HUGE STEP.
19 IT TOOK US, THE COMPOST INDUSTRY, TWO YEARS TO GET
20 TO CALTRANS TO HAVE A SPECIFICATION FOR COMPOST.
21 I KNOW YOU GUYS WORKED LONG AND HARD WITH THE
22 RECYCLED ASPHALT AND CONCRETE TO GET A
23 SPECIFICATION OUT OF CALTRANS. YOU KNOW HOW HARD
24 IT IS.
25 I THINK CALTRANS DELIVERED; THE



1 COMPOST INDUSTRY HAS DELIVERED. WE CAN MAKE A
2 STRONG RECOMMENDATION THAT PEOPLE WHO ARE BEING
3 PROMOTED BY THE MARKET DEVELOPMENT SECTION OF THE
4 WASTE BOARD, THAT THEY BE PERMITTED IN ORDER TO BE
5 HONORED TO BE ON THIS LIST FROM THE WASTE BOARD,
6 IN ORDER TO BE ON THE LIST CALTRANS WILL BE USING
7 WHEN THEY CIRCULATE IT OUT TO CIRCULATE THEIR
8 SPECS. IT WOULD BE NICE TO HAVE THIS LIST ONLY
9 HAVE PERMITTED COMPOST FACILITIES AND THAT THEY
10 ARE REGISTERED WITH CCQC WITH THEIR SEAL OF
11 APPROVAL.
12 THAT'S MY BIG MESSAGE TODAY IS, YOU
13 KNOW, RECOGNIZE THAT BENCHMARK. I SAID A LOT OF
14 GOOD THINGS ARE HAPPENING. I THINK THE TRAINING
15 PROGRAMS THAT HAVE BEEN SPONSORED BY THE WASTE
16 BOARD AND ON BEHALF OF LEA'S AND THE INDUSTRY HAVE
17 BEEN HIGHLY SUCCESSFUL. I BELIEVE THE LEA GOT A
18 HUGE TRAINING ON STORAGE, EMERGENCY REGS, NOW WE
19 HAVE THE FINAL REGULATIONS, AND NEXT YEAR WE'RE
20 GOING TO FINE-TUNE THEM EVEN BETTER. I THINK THAT
21 TYPE OF TRAINING HAS BEEN VERY SUCCESSFUL AND TO
22 GET THE WORD OUT.
23 SO WHAT I'M LOOKING FOR TODAY IS
24 VALIDATION. I THINK THAT THE INDUSTRY HAS COME A
25 LONG WAY, AND VALIDATION HAS OCCURRED ON MANY



1 FRONTS, BY CALTRANS, BY CCQC'S FINAL REPORT, EVEN
2 BY THE GLOBAL NEWSLETTER THAT I'VE SUBSCRIBED TO
3 FOR THE LAST TEN YEARS THAT LOOKS UPON TAKING
4 POLLUTANTS AND MAKING THEM AN AGRICULTURAL
5 RESOURCE.
6 I'LL BE HAVING A MEETING WITH PETER
7 ROONEY WITH CAL/EPA. HE HAS AN AG BACKGROUND.
8 AND HE'S BEEN WANTING ME TO COME IN TO TALK TO HIM
9 ABOUT THIS IN PRIME TIME. SO MY MESSAGE TODAY IS
10 TO GIVE A QUICK UPDATE ABOUT THE GOOD THINGS THAT
11 HAVE COME OUT OF THE COMPOST INDUSTRY AND THANK
12 YOU FOR THE SUPPORT OF THE WASTE BOARD. I THINK
13 THE WASTE BOARD HAS DONE A LOT WITH MARKET
14 DEVELOPMENT THANKS TO MR. CHANDLER AND MR. RELIS.
15 I THINK THEY'VE REALLY DONE A LOT IN THE COMPOST
16 INDUSTRY, AND WE THINK WE'RE AT THE PLACE WHERE WE
17 CAN START MAKING MORE COMPOST WITH MORE PERMITS IN
18 ORDER TO GET TO THE 50-PERCENT GOAL BY THE YEAR
19 2000. THANK YOU.
20 BOARD MEMBER RELIS: MR. CHAIR, JUST
21 WANTED - - I APPRECIATE THAT, BUT WE MET A COUPLE
22 WEEKS AGO OR MONTH AGO WITH FRED HIMMEL OF THE
23 STATE ARCHITECT. AND I GOT A LETTER FROM HIM
24 ABOUT A WEEK AGO INDICATING THAT THEY'RE VERY
25 INTERESTED NOW IN SPEC'ING COMPOST FOR THE OTHER



1 STATE CONSTRUCTION PROJECTS.
2 IT'S JUST PART OF OUR, I THINK,
3 ONGOING EFFORT TO TRY AND GET DIFFERENT STATE
4 AGENCIES ON BOARD. AND CALTRANS IS CERTAINLY A
5 GREAT STEP IN THAT REGARD, AND SO WE ARE MAKING
6 PROGRESS.
7 I'M GLAD TO HEAR EVAN ACKNOWLEDGE
8 THAT, AND I THINK THE PERMITS TODAY - - I WAS
9 ADDING IT UP. IT WAS SOMETHING LIKE SEVEN - -
10 CLOSE TO 700,000 TONS OF POTENTIAL THROUGHPUT,
11 GUESS, IS THE WAY TO PUT IT. THAT'S A LARGE
12 NUMBER, AND I THINK WE JUST NEED TO KEEP BURROWING
13 IN AND MOVING FORWARD.

14 CHAIRMAN PENNINGTON: THANK YOU. THANK
15 YOU, EVAN, FOR YOUR BREVITY. IF THERE IS NOTHING
16 MORE TO COME BEFORE THE BOARD, WE'RE ADJOURNED.

17

18 (END OF PROCEEDINGS AT 4:25 P.M.)

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Reporter's Certificate

* * * * *

I, Beth C. Drain hereby certify:

that on the 27th day of
August, 1997, I did report in
shorthand the testimony of the foregoing
proceedings;

that on the conclusion of the above entitled
matter, I did transcribe my shorthand notes into
typewriting;

that the foregoing transcript is a true and correct
record of my shorthand notes thereof.

Beth C. Drain
Certified Shorthand Reporter
Certificate No. 7152

